

SENATE.

MONDAY, January 8, 1900.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of the proceedings of Thursday last, when, on motion of Mr. CARTER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

LEGATION BUILDING AT BANGKOK.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting certain information relative to an appropriation for a legation building at Bangkok, Siam, and the acceptance of a lot of ground at that place for the legation building; which, with the accompanying paper, was referred to the Committee on Foreign Relations, and ordered to be printed.

TRANSFER OF OBSOLETE RIFLES.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting certain information relative to the transfer from the War Department to the Navy Department of such worn-out rifles and rifles of obsolete patterns as may be no longer needed for army purposes, for use in Indian schools in the training of pupils in the manual of arms; which, with the accompanying paper, was referred to the Committee on Military Affairs, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. HARRIS presented the petition of Peter Carroll and sundry other citizens of Leavenworth, Kans., praying that an appropriation be made to reimburse them for extra time while employed at Fort Leavenworth subsequent to the year 1869 and up to September 30, 1872; which was referred to the Committee on Education and Labor.

Mr. TURNER presented a petition of sundry citizens of Skamania County, Wash., praying for the enactment of legislation to change the forest-reserve boundary; which was referred to the Committee on Public Lands.

Mr. ALLEN presented a memorial of the Medical Society of South Omaha, Nebr., remonstrating against the enactment of legislation to provide for the further prevention of cruelty to animals in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of sundry railway mail clerks of Nebraska City, Nebr., praying for the enactment of legislation providing for the classification of clerks in first and second class post-offices; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. PROCTOR presented a petition of the Dr. J. B. Kendall Company, of Enosburg Falls, Vt., praying for the repeal of the stamp tax upon proprietary medicines, perfumeries, and cosmetics; which was referred to the Committee on Finance.

He also presented the petition of Daniel M. Walsh and sundry other railway mail clerks, of Rutland, Vt., praying for the enactment of legislation providing for the classification of clerks in first and second class post-offices; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. VEST presented a petition of sundry railway mail clerks of Moberly, Mo., praying for the enactment of legislation providing for the classification of clerks in first and second class post-offices; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Labordine Pharmacal Company, of St. Louis, Mo., praying for the repeal of the stamp tax upon proprietary medicines, perfumeries, and cosmetics; which was referred to the Committee on Finance.

He also presented a petition of the State Teachers' Association of Missouri, praying for the establishment in the Indian Territory of free public schools; which was referred to the Committee on Indian Affairs.

He also presented a petition of the Board of Trade of Kansas City, Mo., praying for the enactment of legislation to regulate and govern railway and other traffic between and through the various States, etc.; which was referred to the Committee on Interstate Commerce.

He also presented a memorial of Ransom Post, No. 131, Department of Missouri, Grand Army of the Republic, of St. Louis, Mo., remonstrating against the enactment of legislation providing for the removal of all the disabilities incurred by desertion from the Army and Navy of the United States during the war of the rebellion; which was referred to the Committee on Military Affairs.

He also presented a memorial of the John Madison Miller Post, No. 444, Department of Missouri, Grand Army of the Republic, remonstrating against the enactment of legislation providing for

relief from disabilities of all soldiers who have been convicted of or charged with desertion, or who have been carried on the rolls as being absent or unaccounted for; which was referred to the Committee on Military Affairs.

Mr. LODGE presented a petition of the Society of California Pioneers of New England, praying that authority be granted to the sixty Chinese who were engaged in the battle of Manila Bay to enter the United States; which was referred to the Committee on Immigration.

He also presented a petition of the Massachusetts Dental Society, praying for the employment of dental surgeons in the Army of the United States; which was referred to the Committee on Military Affairs.

He also presented petitions of sundry railway mail clerks of North Adams, Hyde Park, Fall River, Malden, Lowell, Middleboro, Everett, and Natick, all in the State of Massachusetts, praying for the enactment of legislation providing for the classification of clerks in first and second class post-offices; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Joseph Finberg & Co., of Attleboro, Mass., and of the Lydia E. Pinkham Medicine Company, of Massachusetts, praying for the repeal of the stamp tax on proprietary medicines, perfumeries, and cosmetics; which were referred to the Committee on Finance.

Mr. PENROSE presented a petition of the Board of Trade of Wilkesbarre, Pa., praying for the enactment of legislation granting to the Commercial Cable Company permission to lay a new submarine line to Cuba; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Board of Trade of Wilkesbarre, Pa., praying for the enactment of legislation to encourage American shipping; which was referred to the Committee on Commerce.

He also presented petitions of sundry railway mail clerks of Scranton, Meadville, Waynesboro, Pittston, and Phoenixville, all in the State of Pennsylvania, praying for the enactment of legislation providing for the classification of clerks in first and second class post-offices; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. PERKINS presented a petition of the legislature of California, praying that an appropriation be made for the construction of a fair portion of the vessels in the navy-yards of the country, and that at least one of them be constructed at the Mare Island Navy-Yard; which was referred to the Committee on Naval Affairs, and ordered to be printed in the RECORD, as follows:

[Senate joint resolution introduced by Senator Luchinsinger January 11, 1899. Adopted by California legislature January 23, 1899.]

"Senate joint resolution No. 6, relative to the construction of navy-yards and shipbuilding.

"Whereas the United States has expended for plants and sites for navy-yards and stations more than \$100,000,000. The expenditure of this vast amount of public money was made that the nation might have under its immediate control a number of navy-yards and stations conveniently located and properly equipped, where it could build, repair, and equip its ships of war. We now have at least three navy-yards that are equal to any demand which may be made upon them. One of these is located in California, namely, Mare Island Navy-Yard. Notwithstanding that the nation has its own navy-yards fully equipped, the policy pursued by those in charge of the Navy Department has been to give the building of the Navy to private establishments. Such a policy is neither wise nor economical, and is directly opposite that followed by all of the great naval powers of the world. England and France never lose sight of the interest of the dockyards of the nation; they keep the dockyards always full of work, even if the private establishments of the country be forced to remain idle. We believe that it is both wise and patriotic to assist the development of private enterprise to the fullest possible degree, having a due regard to the public good. We condemn any policy that will favor private enterprise to the total neglect of the public dockyards of the country, as we would equally oppose the total neglect or discouragement of private enterprise by having all work required for our Navy done in the navy-yard. We believe that both should be encouraged and assisted, so that in time of great emergency the country would find it possible to have its work done in either or both places with dispatch. We favor the encouragement and building up of our navy-yards because it is the best possible safeguard the country can have against the formation of trusts or combines in shipbuilding. It also will be the means of securing under the control of the Navy Department a trained corps of mechanics who can be relied upon at all times. England, the greatest naval power in existence, almost entirely relies on her dockyards for the construction of her ships of war. To such a state of perfection has the dockyard system of England been brought that the Board of Admiralty can estimate almost to a dollar the cost of the heaviest battle ship, and to a day as to the time needed for its construction. She has demonstrated beyond a doubt that the cheapest and quickest and most economical place to have her war ships constructed is in her dockyards. We believe that what England has been able to do in this line we can do, if the proper encouragement be given: Therefore, be it

"Resolved by the senate (the assembly concurring), That our Senators in Congress be instructed, and our Representatives therein be requested and urged to have inserted in the present naval appropriation bill a provision providing that a fair proportion of the vessels provided for in that bill shall be constructed in the navy-yards of the country and that at least one of them be constructed at Mare Island Navy-Yard. We also call their attention to the fact that all the ships provided for in the naval appropriation bill for the fiscal year of 1897 and 1898 have not been contracted for nor assigned, and we hope that they may use their influence with the Navy Department to have some portion of them built at Mare Island.

"Resolved, That the secretary of the senate be requested to immediately transmit to each of said Senators and Representatives a copy of these resolutions."

The above resolution was unanimously adopted January 26, 1899, and the Vallejo Board of Trade would respectfully ask our Representatives in Congress to do all in their power to bring about the recommendations therein contained.

Respectfully, yours,

W. T. KELLEY,
President Vallejo Board of Trade.

Mr. PERKINS presented a memorial of the Fruit Growers, Shippers, and Buyers' Association of Southern California, remonstrating against the ratification of the so-called Jamaica treaty; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Chamber of Commerce of San Diego, Cal., and a petition of the Chamber of Commerce of Santa Barbara, Cal., praying for the enactment of legislation providing strict quarantine against the importation of all nursery stock, plants, or fruit infected with insect pests or disease; which were referred to the Committee on Agriculture and Forestry.

Mr. KYLE presented the petition of P. S. Campbell and sundry other railway mail clerks of Sioux Falls, S. Dak., praying for the enactment of legislation providing for the classification of clerks in first and second class post-offices; which was referred to the

Mr. HOAR presented the petition of F. E. and J. H. Green, representing the Green Nervura Company, praying for the repeal of the stamp tax on proprietary medicines, perfumeries, and cosmetics; which was referred to the Committee on Finance.

Mr. CLAY presented a petition of the board of commissioners of Bibb County, Ga., praying that an appropriation be made for the construction of a public building at the city of Macon, in that State; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of sundry railway mail clerks of Atlanta, Ga., praying for the enactment of legislation providing for the classification of clerks in first and second class post-offices; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. NELSON presented petitions of sundry druggists of Alexandria and Wells, in the State of Minnesota, praying for the repeal of the tax on proprietary medicines, perfumeries, and cosmetics; which were referred to the Committee on Finance.

He also presented a petition of sundry railway mail clerks of St. Cloud, Minn., praying for the enactment of legislation providing for the classification of clerks in first and second class post-offices; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Manufacturers' Association of St. Paul, Minn., praying that an appropriation be made to complete the valuable collection of foreign trade samples, etc., shown at the Philadelphia Commercial Museum; which was referred to the Committee on Commerce.

Mr. MASON presented a petition of the Bar Association of Chicago, Ill., praying for the appointment of an additional United States district judge for the northern district of Illinois; which was referred to the Committee on the Judiciary.

He also presented the petition of F. E. Marsh & Co., of Illinois, and a petition of sundry citizens of Danville, Ill., praying for the repeal of the stamp tax on medicine, perfumeries, and cosmetics; which were referred to the Committee on Finance.

He also presented a petition of sundry railway mail clerks of Aurora, Ill., praying for the enactment of legislation providing for the classification of clerks in first and second class post-offices; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of the Turnverein of Chicago, Ill., remonstrating against the continuance of the war in the Philippines; which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Brooklyn and New York, in the State of New York, praying for the mediation of the United States in the deplorable war in South Africa; which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Bourbon, Ind., praying for the recognition of the right of belligerency of the people of the republic in the Transvaal, Africa; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Emmet Club, of Gardner, Mass., praying that Congress extend sympathy to the Boers; which was referred to the Committee on Foreign Relations.

Mr. CULLOM presented the petition of R. C. Willis and 15 other citizens of Toledo, Ill., praying that the national-bank act be amended so as to give the national banks the privilege of issuing circulating notes equal in face value to the par value of the United States bonds deposited with the Treasurer of the United States; which was referred to the Committee on Finance.

He also presented the petitions of Louis F. Stuche, of Danville, E. C. De Witt, of Chicago, and of the Klink Medicine Company, of Chicago, all in the State of Illinois, praying for the repeal of the stamp tax on proprietary medicines, perfumeries, and cosmetics; which were referred to the Committee on Finance.

He also presented the petition of Henry Eames, of Watertown,

Ill., George F. Eames, of Roxie, Miss., and Jeanette McMaster, of Rock Island, Ill., praying that relief be granted them by the Government for the destruction of certain personal property belonging to Thomas Eames, deceased, by soldiers during the war of 1812; which was referred to the Committee on Claims.

He also presented petitions of sundry railway mail clerks of Springfield, Dixon, Pekin, Monmouth, Sterling, and Moline, all in the State of Illinois, praying for the enactment of legislation providing for the classification of clerks in first and second class post-offices; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. GALLINGER presented a petition of sundry railway mail clerks of Dover, N. H., praying for the enactment of legislation providing for the classification of clerks in first and second class post-offices; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the petition of L. B. Downing, of Hanover, N. H., and the petition of T. E. Lovell and 2 other citizens of Newport, N. H., praying for the repeal of the stamp tax on proprietary medicines, perfumeries, and cosmetics; which were referred to the Committee on Finance.

He also presented the petition of J. O. Burton and 2 other citizens of Flora, Ill., praying for the enactment of legislation increasing the pensions of soldiers who lost an arm or a leg during the war of the rebellion; which was referred to the Committee on Pensions.

Mr. BERRY presented a memorial of the Consumers' Cotton Oil Company, of Little Rock, Ark., remonstrating against the existing tax of 2 cents per pound on butterine, and praying for its abrogation and repeal; which was referred to the Committee on Finance.

He also presented petitions of sundry railway mail clerks of Fort Smith and Pine Bluff, in the State of Arkansas, praying for the enactment of legislation providing for the classification of clerks in first and second class post-offices; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. COCKRELL presented a petition of the council of the University of the State of Missouri, the board of curators of the University of Missouri, and the State Teachers' Association of Missouri, praying for the establishment of free public schools for the whites in the Indian Territory until real estate and personal property can be taxed for their support; which was referred to the Committee on Indian Affairs.

He also presented a petition of the Labordine Pharmacal Company, of St. Louis, Mo., praying for the repeal of the stamp tax upon proprietary medicines, perfumeries, and cosmetics; which was referred to the Committee on Finance.

He also presented a petition of a committee appointed by a commission of farmers from all portions of the Chickasaw Nation, held at Ardmore, Ind. T., praying that the rights and interests of the farmers in their unexpired leaseholds be fully considered, and remonstrating against the enactment of any provision terminating their leases on the 1st day of January, etc.; which was referred to the Committee on Indian Affairs.

He also presented a memorial of Ransom Post, No. 131, Department of Missouri, Grand Army of the Republic, of St. Louis, Mo., remonstrating against the enactment of legislation providing for the removal of all disabilities incurred by desertion from the Army and Navy during the war of the rebellion; which was referred to the Committee on Military Affairs.

He also presented a petition of sundry railway mail clerks of St. Louis, Mo., praying for the enactment of legislation providing for the classification of clerks in first and second class post-offices; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. FRYE presented a petition of sundry railway mail clerks of Brunswick, Me., and a petition of sundry railway mail clerks of Lewiston, Me., praying for the enactment of legislation providing for the classification of clerks in first and second class post-offices; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented the memorial of Benjamin S. Gratz, of Jacksonville, N. J., remonstrating against the seating of Hon. Matthew S. Quay; which was referred to the Committee on Privileges and Elections.

POSTAL TELEGRAPH SYSTEM.

Mr. BUTLER. I present a paper containing arguments on the subject of a postal telegraph to be operated by the Post-Office Department, which I desire to have printed as a document and referred to the Committee on Post-Offices and Post-Roads, to accompany Senate bill 1472, which is now before that committee.

The PRESIDENT pro tempore. The Senator from North Carolina asks unanimous consent for the printing of a paper touching the postal telegraph system.

Mr. CHANDLER. By whom were those statements prepared, I will ask the Senator?

Mr. BUTLER. They were prepared by Judge Walter Clark, of my State, and by Professor Frank Parsons.

The PRESIDENT pro tempore. Is there objection? The Chair hears none. The order to print will be made, and the paper will be referred to the Committee on Post-Offices and Post-Roads.

REPORTS OF COMMITTEES.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 160) to authorize the construction of a bridge across the Red River of the North at Drayton, N. Dak., reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 561) extending the time for the commencement and completion of the railroad bridge across the Illinois River near Grafton, Ill., by the St. Louis, Perry and Chicago Railroad, reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 1617) to authorize the Southeastern Railroad Company to construct and maintain a bridge across the Lumber River within the boundary lines of Robeson County, N. C., reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 282) extending the time for the completion of the bridge across the East River between the city of New York and Long Island, now in course of construction, as authorized by the act of Congress approved March 3, 1887, reported it without amendment.

Mr. WOLCOTT, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 146) for the relief of Thomas Chambers, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1543) for the relief of M. D. Crow, reported it without amendment, and submitted a report thereon.

Mr. MASON, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 1807) fixing the salary of the postmaster at Washington, D. C., reported it without amendment, and submitted a report thereon.

Mr. CHANDLER, from the Committee on Privileges and Elections, to whom was referred the bill (S. 334) prohibiting the appointment or employment of Senators and Representatives to perform executive functions, reported it with amendments.

Mr. CARTER, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 1224) for the relief of W. H. L. Pepperell, of Concordia, Kans., reported it without amendment, and submitted a report thereon.

TWELFTH AND SUBSEQUENT CENSUSES.

Mr. CARTER. By direction of the Committee on the Census I report a bill and ask for its present consideration.

The bill (S. 2179) relating to the Twelfth and subsequent censuses, and giving to the Director thereof additional power and authority in certain cases, and for other purposes, was read the first time by its title.

The PRESIDENT pro tempore. The Senator from Montana asks for the present consideration of the bill.

Mr. COCKRELL. Let it be read for information.

The bill was read the second time at length, as follows:

Be it enacted, etc., That in addition to the power and authority conferred upon the Director of the Census by an act entitled "An act to provide for taking the Twelfth and subsequent censuses," approved March 3, 1899, said Director of the Census shall have power and is hereby authorized to appoint and employ, as the necessity therefor may arise, 1 purchasing agent, at an annual salary of \$2,500; 2 chiefs of division, at an annual salary of \$2,000 each; five clerks of class 4; six clerks of class 3, and eight clerks of class 2; to employ such number of special agents, not exceeding 35 in all, as may be proper and necessary for the purpose of gathering any information or data in relation to, or required by, the agricultural schedules; to employ special agents to assist the supervisors in large cities, whenever he may deem it proper, in connection with the work of preparation for, or during the progress of, the enumeration, or in connection with the reenumeration of any district or a part thereof; to employ as special agents such of the supervisors of census as he may deem wise and proper, at the compensation provided for in section 17 of said act, the intent and purpose being that the supervisors of census may be appointed special agents at the time they are acting as supervisors and receive the compensation to which they are entitled as supervisors and also as special agents; and the Director of the Census is hereby specifically authorized to pay such supervisors for their services as special agents the compensation which he may authorize out of any general or special appropriation which may be made for the payment of special agents, and to allow any supervisor of census, in addition to the contingencies provided for in section 11 of said act, actual and necessary traveling expenses and an allowance in lieu of subsistence not exceeding \$3 per day during his necessary absence from his usual place of residence in connection with the work of preparation for the enumeration; to allow, in fixing the compensation of enumerators, not more than 5 cents for each death reported; to purchase any and all law books, books of reference, and periodicals which may be required from time to time in the Census Office, and pay for the same out of the sum appropriated by the said act of March 3, 1899, or any other appropriation hereafter made for the census work, whether there be a specific authorization for such purposes or not: *Provided,* That the aggregate amount of such purchases shall not exceed the sum of \$2,000.

SEC. 2. That in addition to the other statistics required to be collected by section 7 of said act, approved March 3, 1899, there shall be collected on the agricultural schedules information concerning the number and kinds of live

stock not on farms, and the Director of the Census shall have power to pay the enumerators for collecting such information, in his discretion, not less than 5 nor more than 10 cents for each barn or inclosure visited in which such live stock may be found: *Provided, however,* That the Director of the Census may appoint special agents to gather the information required by this section whenever he may deem it proper.

Mr. COCKRELL. There are a good many important provisions in that bill, and we have had no opportunity to compare it with the existing law. So far as I can judge, a good many of the provisions are wise and prudent, but I ask that the bill may be placed on the Calendar and printed. I will assist the Senator, as soon as I have had time to investigate it, in having it called up and passed at an early day.

Mr. CARTER. I will later in the day file a report to accompany the bill, the report giving an explanation of the necessity of each provision referred to.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. COCKRELL. The report has been presented?

Mr. CARTER. The report will be filed later.

Mr. PETTIGREW. I should like to ask if there is any provision in the bill for ascertaining the distribution of wealth, or if there is such a provision in any of the census acts which we have passed.

Mr. CARTER. There is no method provided for ascertaining the distribution of wealth, save and except such information as would be collected in connection with the agricultural and manufacturing schedules.

I will say to the Senator, in that behalf, that the committee has recently been strongly importuned to depart from a policy established in connection with the legislation passed last spring. It will be borne in mind that the reports of the Eleventh Census were not published until from three to eight years after the enumeration had taken place. It is universally conceded that in this rapid-moving age statistical matter eight years old is of very little practical value.

We undertook in the act under which the present census will be taken to confine inquiries to four essential propositions, essential because requiring a house-to-house canvass by the enumerators in order to get all the necessary facts. Those four headings are population, agriculture, manufacturing, vital statistics and mortality.

We were urged at the time the bill was under consideration in the committee, and have been since most strenuously urged, to import into the work of the census which is to commence on the 1st day of next June inquiries concerning a large number of facts and circumstances varying in importance because of the special interest that particular persons take in them.

The inquiry referred to by the Senator from South Dakota, relative to the distribution of wealth, would be of very great gratification to many and of value to all persons. But if that particular feature were imported into the work of the census, other features, apparently of quite as great significance, could with equal force be urged upon the enumerators.

Within the past week the committee has been urged and importuned by most estimable citizens of high standing in this District and throughout the country to extend the enumeration inquiries on the schedules to the feeble-minded, the dumb, the deaf, the blind, the criminal classes; and imperialists I suppose the Senator from Massachusetts [Mr. HOAR] would suggest as an additional inquiry. But the committee has, notwithstanding, declined to embark upon this wide and shoreless sea.

I make this explanation for the benefit of the Senator from South Dakota and others who may think it necessary to add to the census work.

Mr. HOAR. I wish to give notice of an amendment. I suppose from what has been said that the bill will not be voted upon to-day.

Mr. CARTER. It will go over until to-morrow.

Mr. HOAR. I wish to give notice now of an amendment which I shall offer when the bill comes up for consideration.

I see the very great force and wisdom of the reasons which have been stated by the Senator from Montana. I have no desire to contravene the policy of the committee, but there is one particular on which I think Senators from all parts of the country will agree. It is really but an extension of the clause in regard to manufactures. I should like to have it a little more specifically stated, so as to have some official who shall tabulate and put in scientific form statistics in regard to the water power of the country.

It is well known that the manufacturing of the country is moving from its old home in the Northeast and spreading itself all over the United States. Although I myself represent a community which is almost entirely given to manufacturing and to such branches of business as are attendant upon manufacturing in supplying the wants of persons engaged in manufacturing, yet

I heartily welcome, and I believe my constituents heartily welcome, that change. They expect to engage cheerfully and hopefully in the emulation and competition which this new condition of things will produce; and if they can not hold their own, what is now their own will pass to somebody else without a murmur on our part.

I have had occasion to make a very careful examination of some questions connected with this matter, and it is very important indeed to the persons who are proposing to institute new manufacturing or to continue old manufacturing all over the country that the knowledge in regard to the water power of the country shall be made public, and be made public now. I have been amazed to find how little information there is on this subject in the old census. There is one tabulation of a portion of the statistics.

It will not be a very expensive or extensive inquiry. I presume that an official with a salary of \$5,000, with the instrumentalities already provided, would be enough to give this important information. I hope the committee will regard it as rather belonging to the statistics in regard to manufacturing, which they do provide for, than as an introduction of a new policy. At any rate, I shall move that amendment to-morrow.

Mr. PETTIGREW. Mr. President—

The PRESIDENT pro tempore. The discussion is proceeding by unanimous consent. Is there objection? The Chair hears none.

Mr. PETTIGREW. I do not wish to discuss the measure; but I desire to give notice that I shall offer an amendment for the purpose of gathering statistics with regard to the distribution of wealth. I do not think that ought to delay the report. I will try to so frame the amendment that the work, simply by the addition of more force and a larger appropriation, can be gotten out at the earliest possible day. It seems to me that there can be no more important subject discussed and investigated than the question, Who reaps the benefit of the toil of the laborers of this country?

Mr. HALE. Mr. President, the whole question is precisely as stated by the chairman of the committee, the Senator from Montana. What the committee has tried to do is to avoid the blunders of the old censuses. We have tried to get what I may call a quick census, an enumeration covering, as the Senator has said, population, manufacturing, agriculture, and vital statistics. All the great domain lying outside of these the committee kept out of the first immediate census, but have provided that the Census Office, which is to be a continuing one, shall go on with special agents appointed by the Director and get at the facts on these other questions.

Now, if you add anything, if you disturb the schedules which are already made and which are confined to the subjects covered by the original bill, you open the door wide. The committee in their sessions at this Congress have felt like appealing to the Senate to stand by them on their proposition to have a quick census.

So far as the Senate goes, I had charge of this matter both for 1890 and the previous census, and it became very burdensome and irksome work to me to continually ask that the time of the census should be extended and that the expense of the census should be added to. At last, with a great cumbersome work covering twenty-two or twenty-three volumes, which it took eight or nine years to collect and get published, everybody lost all interest in the census of 1890. The same was true in regard to the census of 1880. Now we are trying to cure that, and we are beset by everybody who wants special information in which he is interested. I should like to see information concerning water power put in. My State is full of it.

Mr. TELLER. To what does the Senator refer?

Mr. HALE. To the statistics as to water power, as to the streams, as to the extent of the power to carry machinery, the places upon which mills can be builded. No one is more interested in that question than I and my colleague, representing the State of Maine. But it will not be so small a work as the Senator from Massachusetts thinks if it is embodied in the first census. If all that the Senator desires is that the Census Bureau shall take up this subject and by special agents see that the work is done, and report as early as possible, to that I have no objection.

Mr. HOAR. That is all.

Mr. HALE. That we provide for in section 8.

Mr. HOAR. I do not think you do.

Mr. HALE. If we do not, it can easily be put in the bill. That there is no objection to whatever.

Mr. HOAR. It would be all right then.

Mr. HALE. But if you clog and lumber the immediate first census with subjects such as that indicated by the Senator from South Dakota, if you do not end the work when it ought to be ended, if you do not end the publication when it ought to be ended and begin to extend in the future as we have done in the past, men will forget before the volumes come out that there has been a census taken.

When the bill comes up to-morrow, as I understand the chairman is to call it up, I hope the Senate will stand by the commit-

tee in trying to make this a great, rapid, immediate work, where the results for the public will be rapid and immediate.

Mr. TELLER. I should like to ask the Senator from Maine, who has had connection with this matter, a question for information. What particular subjects are to be presented first? What are regarded as the most important that are to come out early?

Mr. HALE. Those that relate nearest to what was the object of the very first census in the history of mankind, simply the taking of the heads.

Mr. TELLER. Population?

Mr. HALE. Population. That is first. Then manufactures; then agriculture; then the vital and mortality statistics. All those four can be comprehended in four or five volumes, and all can be got out within two years from the time when the work commences. Those volumes will answer the questions of nine hundred and ninety-nine out of a thousand of the people in the United States who want information. Then, by section 8 we provide that the Census Office shall go on and with its special agents make inquiries into these other subjects-matter, and from time to time report to Congress.

Mr. TELLER. I only want to say that I hope the committee will not abandon the general character of the census heretofore.

Mr. HALE. No; it does not.

Mr. TELLER. But I think there is great necessity of haste in bringing out those important features. When they are once before the public other information can be brought out which it is quite immaterial as to whether it comes out a year earlier or a year later. They are things that are relative, and it does not make any difference whether we get the information this year or five years afterwards, because we know what the relation is of one to another, and we know that that relation will probably continue. But the statistics of population, manufactures, etc., everybody would like to get at the earliest possible date, and if the Census Department will give their attention to those first and let these other matters lie for the present there will be no difficulty in getting out the census report in a reasonable time.

Mr. HALE. That is just what the bill provides for. The committee had precisely that in mind and stipulates in the bill that the Director shall not give his attention to the other subjects-matter until he has completed the actual census.

Mr. TELLER. I have not read the bill, but I am glad to know that that is the character of it. I had some little to do with the closing up of one census, and I found the great trouble had been that all these things had been going on at once, instead of the most important being selected and the others deferred. I think, if the committee have presented a bill of that kind, it is meritorious.

Mr. TILLMAN. Mr. President—

Mr. ALLISON. I believe this matter has passed from the consideration of the Senate.

Mr. TILLMAN. I wish to make a single remark.

Mr. ALLISON. On this subject?

Mr. TILLMAN. Yes, sir.

Mr. ALLISON. I yield.

The PRESIDENT pro tempore. The Senator from South Carolina will proceed.

Mr. TILLMAN. I want to ask the chairman or the Senator from Maine if it is not a fact brought out before the Census Committee when the recent law was being framed that the schedules first taken in the last census were so multifarious and covered so many subjects that the Census Office was in the seventh or eighth year still trying to tackle it and condense it for use and publication, and had at last to throw away a large mass of material that had cost perhaps half a million or a million dollars in the effort to get facts that were of no value after they were obtained? If we are now to cover all the earth in the effort to get statistics, the material will grow very stale and old before it can be tabulated.

Mr. CARTER. And Senators as well, possibly, Mr. President. The PRESIDENT pro tempore. The introduction of bills is in order.

Mr. CARTER subsequently submitted a report to accompany the bill.

BILLS INTRODUCED.

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2180) granting a pension to Susan Baker;

A bill (S. 2181) granting a pension to Matilda Dickinson;

A bill (S. 2182) granting pensions to Levina Pendock and Melisa Pendock; and

A bill (S. 2183) granting a pension to Israel P. Hill.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2184) granting a pension to Eliza J. Noble;

A bill (S. 2185) granting an increase of pension to James Jackson Purman; and

A bill (S. 2186) granting an increase of pension to Horace B. Durant.

Mr. PENROSE introduced a bill (S. 2187) to correct the military record of Charles R. Keck; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2188) to correct the military record of George F. Peall; which was read twice by its title, and, with accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 2189) for the relief of William H. Anthony; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLATT of Connecticut introduced a bill (S. 2190) granting a pension to Emma J. Bidwell; which was read twice by its title, and referred to the Committee on Pensions.

Mr. STEWART introduced a bill (S. 2191) for the relief of Robert D. McAfee and John Chiatovich; which was read twice by its title, and referred to the Committee on Claims.

Mr. ALLEN introduced a bill (S. 2192) to establish postal savings departments, to encourage savings among the people, to furnish them a safe and reliable place to deposit their idle funds, and to put into actual use the money of the country; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 2193) to remove the charge of desertion from the name of Frederick W. Joslin; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2194) to encourage the employment of the American merchant marine and to regulate the international carrying trade of the United States; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2195) granting an increase of pension to Isaac Hoggborne;

A bill (S. 2196) granting an increase of pension to Stephen D. Avery; and

A bill (S. 2197) granting an increase of pension to Granville R. Turner.

Mr. RAWLINS introduced a bill (S. 2198) increasing the limit of the cost of the public building at Salt Lake City, Utah; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. TURNER introduced a bill (S. 2199) for the relief of volunteer officers and soldiers who served in the Philippine Islands beyond the period of their enlistment; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. KENNEY introduced a bill (S. 2200) granting an increase of pension to Elizabeth W. Murphey; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 2201) granting an increase of pension to Gardin L. Wight; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2202) granting an increase of pension to Alvin N. Sabin; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BAKER introduced a bill (S. 2203) granting an increase of pension to William Taylor; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 2204) for the relief of Francis H. McLaughlin;

A bill (S. 2205) for the relief of Stephen Murphy;

A bill (S. 2206) for the relief of Samuel Slack;

A bill (S. 2207) for the relief of John W. Johnston; and

A bill (S. 2208) for the relief of George J. Collins, alias William Seymour.

Mr. QUARLES introduced a bill (S. 2209) granting an increase of pension to Frederick Higgins; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SIMON introduced a bill (S. 2210) to provide for the sale of the unsold portion of the Umatilla Indian Reservation; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 2211) confirming the title of mixed-blood Indians to certain lands, and providing the manner for selling, conveying, and encumbering the same; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. MASON introduced a bill (S. 2212) granting a pension to Georgia R. Demarest; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2213) granting an increase of pen-

sion to Susan C. Gilbreath; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2214) to remove the charge of desertion from the military record of Thomas H. Thorp and William Mullally; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. WOLCOTT introduced a bill (S. 2215) granting an increase of pension to Robert J. Koonce; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FOSTER introduced a bill (S. 2216) for the relief of Mary C. Mayers; which was read twice by its title, and referred to the Committee on Claims.

Mr. ALDRICH introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2217) granting a pension to Louise O'Leary;

A bill (S. 2218) granting a pension to Mary R. Dean;

A bill (S. 2219) granting an increase of pension to Mary F. Hopkins; and

A bill (S. 2220) granting an increase of pension to Mrs. E. S. Kelly.

Mr. HANSBROUGH introduced a bill (S. 2221) to prevent the desecration of the American flag; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 2222) for preventing the adulteration, misbranding, and imitation of foods, beverages, candies, drugs, and condiments in the District of Columbia and the Territories, and for regulating interstate traffic therein, and for other purposes; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. GALLINGER introduced a bill (S. 2223) granting an increase of pension to John M. Morse; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. ALLISON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2224) granting an increase of pension to John F. Riegel;

A bill (S. 2225) granting an increase of pension to George F. White;

A bill (S. 2226) granting an increase of pension to Henry Muhs;

A bill (S. 2227) granting an increase of pension to Uriah Clark; and

A bill (S. 2228) granting an increase of pension to Oliver W. Miller.

Mr. ALLISON introduced a bill (S. 2229) for the relief of Catharine Brown; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CARTER introduced a bill (S. 2230) requiring street railways operated in the District of Columbia to provide protection for motormen and car drivers from the inclemencies of the weather between November 1 and April 1 of each year; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 2231) granting a pension to Robert D. West; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2232) granting a pension to Frederick Sien; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 2233) to provide for the retirement of certain Army officers, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HOAR introduced a bill (S. 2234) for the relief of certain claimants having suits pending against the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. CHANDLER introduced a bill (S. 2235) to extend the uses of the mail service; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. FRYE introduced a bill (S. 2236) to amend the pension laws by providing a uniform rate for the loss of an arm or a leg above the elbow or knee; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2237) setting apart certain public grounds in the city of Washington for the use of the National Society of the Daughters of the American Revolution for the erection of a memorial building; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

Mr. MCENERY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 2238) for the relief of Villeneuve Le Blanc;

A bill (S. 2239) for the relief of Mary J. Barrow; and
A bill (S. 2240) for the relief of Mary E. Barrow.

Mr. DANIEL introduced a bill (S. 2241) to provide for the erection of a public building in the city of Portsmouth, in the State of Virginia; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. BERRY introduced a bill (S. 2242) for the relief of the estate of Henry C. Thoms, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. WELLINGTON introduced a bill (S. 2243) to establish the University of the United States; which was read twice by its title, and referred to the Committee to Establish the University of the United States.

Mr. FRYE introduced a joint resolution (S. R. 55) authorizing the President to appoint one woman commissioner to represent the United States and the National Society of the Daughters of the American Revolution at the unveiling of the statue of Lafayette at the Exposition in Paris, France, in 1900; which was read twice by its title, and referred to the Select Committee on Industrial Expositions.

MEDIATION IN TRANSVAAL WAR.

Mr. PETTIGREW. I introduce a joint resolution, which I ask to have read at length and lie upon the table, as I wish to call it up at some future day and to make some remarks in regard to it.

The joint resolution (S. R. 56) authorizing the United States Government to offer its services as a mediator between Great Britain and the South African Republic was read the first time by its title and the second time at length, as follows:

Whereas the International Peace Conference recently held at The Hague declared, and to the declaration is attached the signatures of the plenipotentiaries of the United States and Great Britain, that: "With a view to obviating, as far as possible, recourse to force in the relations between the states, the signatory powers agree to use their best efforts to insure the pacific settlement of international differences.

"In case of serious disagreement or conflict, before an appeal to arms, the signatory powers agree to have recourse, as far as circumstances will allow, to the good offices or mediation of one or more friendly powers.

"Independently of this recourse, the signatory powers recommend that one or more powers, strangers to the dispute, should, on their own initiative, and as far as circumstances may allow, offer their good offices or mediation to the states at variance.

"Powers, strangers to the dispute, have the right to offer good offices or mediation, even during the course of hostilities.

"The exercise of this right can never be regarded by one or the other of the parties in conflict as an unfriendly act." Therefore

Resolved, That the United States of America offers its good offices as a mediator in an endeavor to reconcile the opposing claims and appease the feelings of resentment which have arisen between the Empire of Great Britain and the South African Republic and the Orange Free State, with a view to securing a conclusion of the war now existing between those two nations.

The PRESIDENT pro tempore. The Senator from South Dakota asks that the joint resolution lie upon the table subject to his call. Is there objection? The Chair hears none, and it is so ordered.

STATE BANK TAX.

Mr. McLAURIN submitted an amendment intended to be proposed by him to the bill (S. 1) to affirm the existing standard of value, to maintain the parity in value of all forms of money, to refund the public debt, and for other purposes; which was read, as follows:

To the said bill add the following:

"SEC. 9. That sections 3412 and 3413 and all other acts and parts of acts which impose any tax upon the circulation of State banks or State banking associations be, and the same are hereby, repealed."

Mr. McLAURIN. I ask that the amendment be printed and lie on the table.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

WITHDRAWAL OF PAPERS.

On motion of Mr. HOAR, it was

Ordered, That the papers in the case of Abram D. Newman, S. 2731. Fifty-fifth Congress, second session, be withdrawn from the files of the Senate, copies of the same being first left on file, the claim having been reported adversely.

INTERCONTINENTAL RAILWAY.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying paper, referred to the Committee on Railroads, and ordered to be printed:

To the Senate:

In response to the resolution of the Senate of December 20, 1899, asking for information respecting the edition and distribution of the report of the Intercontinental Railway Commission, I transmit herewith a detailed statement from the Secretary of State.

WILLIAM MCKINLEY.

EXECUTIVE MANSION,
Washington, January 8, 1900.

URGENT DEFICIENCY APPROPRIATION ACT OF MARCH 9, 1898.

Mr. ALLEN. I submit the resolution which I send to the desk, and ask for its immediate consideration.

The PRESIDENT pro tempore. The resolution will be read.
The Secretary read as follows:

Resolved, That the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, the Secretary of Agriculture, the Attorney-General, and the Postmaster-General, and each of them, be, and they are hereby, respectively directed to inform the Senate what portion of the \$50,000,000 appropriated by Congress under the act approved March 9, 1898, entitled "An act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1898, and for prior years, and for other purposes," was assigned to and expended by, or under the direction of, said respective Departments, and they are further respectively hereby directed to furnish the Senate an itemized statement of the amount of said sum thus expended by them.

Mr. HALE. There is no objection to the passage of that resolution that I can conceive of, but the information has already been before the Senate and can very readily be furnished to the Senator without sending to the Departments. We have had it here; we have discussed it, and it has been stated upon the floor how the \$50,000,000 was divided; but if the Senator desires the information to be put in the form of a reply from the Departments I do not object.

Mr. ALLEN. I desire to have it in the form of a public document.

Mr. HALE. I do not object.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution? The Chair hears none, and the question is on agreeing to the resolution.

The resolution was agreed to.

HARBOR OF WILMINGTON, N. C.

Mr. BUTLER submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to cause a survey and estimate to be made for the dredging of a basin in the harbor of Wilmington, N. C., of sufficient dimension to allow a vessel of large tonnage to turn or swing around in said harbor.

ADMIRAL DEWEY'S REPORT.

The PRESIDENT pro tempore. If there be no further concurrent or other resolutions, the Chair lays before the Senate a resolution coming over from the preceding day, which will be read.

The Secretary read the resolution submitted by Mr. PETTIGREW January 4, 1900, as follows:

Resolved, That the Secretary of the Navy be, and he is hereby, directed to send to the Senate a copy of Admiral Dewey's report of April 13, 1898, or about that date, in which the Admiral says he can take Manila at any time.

Mr. HALE. Mr. President, the information the Senator seeks for can be very easily obtained by any individual Senator asking for it. I have the report to which I think the Senator refers; but he has got the date somewhat wrong.

I do not think, however, that it has been the practice of the Senate to stifle resolutions of inquiry. When they are couched in proper form and where they seek to bring to the Senate information upon public business, the rule of the Senate has been to pass them. I think it was so stated the other day by the senior Senator from Massachusetts [Mr. HOAR]. I agreed with him at that time, and I think that that is so now. Resolutions are presented sometimes in such form that they cease to be mere resolutions of inquiry, and they should either be referred to a committee or amended and put in proper shape. I do not see that this resolution of the Senator from South Dakota [Mr. PETTIGREW] is subject to any objection of that kind. If the Senator desires that it shall go as the request of the Senate and that the reply be sent to the body, as no doubt it will be forthwith, he will get the same information that he would have obtained if he had sent a telephonic message to the Secretary of the Navy, or had himself called and said he wanted the information, or had pursued any other method which Senators usually pursue; but if the Senator has chosen this way and prefers this, as his resolution is simple in form and only requires information, I will not object to it.

Mr. PETTIGREW. Mr. President, I suppose all resolutions of inquiry of the Executive Departments of the Government could be done away with by writing letters on the part of individual Senators; but such information comes to a Senator, where, however, a resolution is passed by the Senate the information goes to the Senate and to the public. Therefore, if any resolution of inquiry is justified, it seems to me this resolution is, and of course I desire its passage.

The PRESIDENT pro tempore. The question is, Will the Senate agree to the resolution?

Mr. CHANDLER. I ask to have the resolution again read, Mr. President.

The PRESIDENT pro tempore. The resolution will again be read. The Secretary again read the resolution.

Mr. ALLISON. Is April 13, 1898, the date given in the resolution, the date of the report called for?

Mr. PETTIGREW. At or about that date. For the purpose of more definitely indicating the report I wanted, I added the language which I understand the paper contains.

Mr. ALLISON. Where could that have been made—at what place?

Mr. HALE. On the flagship *Olympia*, at Hongkong, March 31, 1898.

Mr. CHANDLER. Has the Senator from South Dakota any knowledge that there is such a letter? If so, I shall not object to the resolution.

Mr. President, the question before the Senate the other day when some criticism was made of other Senators by the senior Senator from Massachusetts [Mr. HOAR] was that four Senators had objected to a resolution, which caused it to go over to the next day, when one of them might more properly, I suppose the Senator thought, have done it. Then the Senator from Massachusetts said that if that sort of thing was to go on the Senate would be abolished. This put those four Senators in a very awkward position, myself among the number, because I have too much regard for the Senate, and shall have so long as I remain here, to wish to be a party to abolishing it; and I was not aware that I was doing that thing until the objection was made.

Mr. President, the rules which require the unanimous consent of Senators are supposed to be wisely framed. If they are not wise, they can easily be altered upon a report made from the Committee on Rules, of which the senior Senator from Massachusetts is a member; but so long as those rules stand here, giving the right to any Senator who either objects to the language of a resolution or who wishes to ascertain more definitely what information is called for, it is the privilege of any Senator to invoke the rule and ask to have a resolution go over, and, so far as I know, it is the privilege of four Senators to do it at once, or to do it singly, or they may do it in platoons, or they may do it all together, if they see fit. They are entitled to be relieved from criticism for exercising the rights which belong to them as members of the Senate, and for one I stand here to say that it is in bad taste to object to any Senator who invokes a rule requiring unanimous consent and declines to yield to an appeal to withdraw his objection. I do not like it myself, and I do not intend to withdraw an objection that I may deliberately make by reason of any such appeal, unless I see fit to do so, and I hope other Senators, notwithstanding the admonition they received the other day, will make objection to resolutions which they wish to examine before they are acted upon. That was all that took place the other day.

To the resolution as now before the Senate I have no objection, and I shall vote against almost no resolution the Senator from South Dakota can contrive which shall ask merely for information from the Executive Departments of the Government. If he puts statements into a resolution which I do not know to be true and do not propose to assert as facts by voting for the resolution, or if he puts a stump speech into a resolution—and I do not think the Senate ought to make a stump speech in a resolution of inquiry—I shall either vote against the resolution or move to lay it on the table. I am just as willing as the Senator from South Dakota and the senior Senator from Massachusetts to have all facts relating to public affairs in the possession of the executive department come before Congress for its consideration.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

AFFAIRS IN THE PHILIPPINE ISLANDS.

The PRESIDENT pro tempore. Under unanimous consent of the Senate, given at the last sitting, the Chair lays before the Senate a resolution offered by the Senator from South Dakota, which will be read.

The Secretary read the resolution submitted by Mr. PETTIGREW January 3, 1900, as follows:

Resolved, That the Secretary of War be, and he is hereby, directed to inform the Senate whether General Torres, one of the officers of the Philippine army, came to General Otis with a flag of truce on February 5, 1899, the day after the fighting commenced between our forces and those of the Filipinos, and stated to General Otis that General Aguinaldo declared that fighting had been begun accidentally and was not authorized by him, and that Aguinaldo wished to have it stopped, and that to bring about a conclusion of hostilities he proposed the establishment of a neutral zone between the two armies of a width that would be agreeable to General Otis, so that during the peace negotiations there might be no further danger of conflict between the two armies, and whether General Otis replied that fighting having once begun must go on to the grim end. Was General Otis directed by the Secretary of War to make such an answer? Did General Otis telegraph the Secretary of War on February 9, 1899, as follows: "Aguinaldo now applies for a cessation of hostilities and conference. Have declined to answer." And did General Otis afterwards reply? Was he directed by the Secretary of War to reply; and what answer, if any, did he or the Secretary of War make to the application to cease fighting?

Mr. LODGE. I suppose, Mr. President, the subject-matter of that resolution comes within the jurisdiction of the Committee on the Philippines. I was one of those who asked to have the resolution go over the other day, and I supposed then, and still believe, that I was acting within my right under the rules to have so complicated a resolution as that printed and laid before us, so that we could read it with more care.

I am quite certain that it has been the habit in this body to send resolutions over when there are objections, and that it is not the universal practice to pass them the day they are offered. I know that older and wiser Senators than I have sent over some resolutions of inquiry which I have offered, and it seemed to me proper that this resolution should go over until we could consider it more fully.

Now, Mr. President, I see no objection whatever to giving all possible information in regard to every transaction in the Philippines. I certainly, for one, have no desire to see anything whatsoever suppressed, and I do not believe there is any desire anywhere to have anything suppressed. But I do think that the resolutions of inquiry offered by the Senator should be put in a proper form. It seems to me that a resolution like this, which is rather in the nature of filing interrogatories and cross-questioning the Secretary of War as to one particular incident, is a process which would involve similar resolutions day after day and day after day, in order to get at the information which is obviously desired.

It seems to me that the proper scope of a resolution of inquiry and the proper form in which to put it is a general form asking for everything relating to a certain subject; and I would offer as a substitute for the resolution presented by the Senator from South Dakota the following:

Resolved, That the President be requested to send to the Senate, if not in consistent with the public interest, all reports and dispatches relating to the insurrection in the Philippines, and especially any information as to communications or correspondence with the insurgents, from the 1st of January, 1898, on the part of any officer in the military, naval, consular, or diplomatic service of the United States.

It seems to me, Mr. President, that substitute covers everything that can possibly be desired. It covers the scope of the question of the Senator from South Dakota and every other of a similar character; and it seems to me that that is the better form in which to put the resolution.

Mr. TILLMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from South Carolina?

Mr. LODGE. I do.

Mr. TILLMAN. I wish to ask the Senator from Massachusetts a question as to the scope of the substitute which he has just offered. I ask at what date the Senator regards the Philippine people as having become insurgents? Do the communications referred to embrace communications which were sent to our officers prior to the ratification of the treaty with Spain as well as those sent after that time?

Mr. LODGE. I take it they do, of course. They go back and cover the whole period.

Mr. TILLMAN. But the language used by the Senator in the substitute would limit the call to communications with the insurgents; and I want to know when they became insurgents, according to the Senator's idea.

Mr. LODGE. I suppose the language employed would cover the day or the night of the insurrection—beginning on the night they attacked our troops at Manila.

Mr. TILLMAN. Then the resolution would limit the sending in of communications to those which had been made after that time rather than before?

Mr. LODGE. At that time the treaty had not been ratified, it is true, but I think the language of the substitute would cover everything relating to our communications with the Filipinos.

Mr. TILLMAN. What about the limit?

Mr. LODGE. If the Senator wishes to make the substitute more explicit and to cover more time, let him go back to the beginning of the war with Spain.

Mr. TILLMAN. Then let the Senator put that in the resolution, and we will get the information which the Senator from South Dakota was denied the other day.

Mr. PETTIGREW. I would suggest that the substitute offered by the Senator from Massachusetts be printed, and that the subject go over until to-morrow without losing its place.

The PRESIDENT pro tempore. The Senator from South Dakota [Mr. PETTIGREW] asks unanimous consent that the substitute offered by the Senator from Massachusetts [Mr. LODGE] be printed, and that the subject-matter go over until to-morrow without prejudice.

Mr. ALLISON. I suggest to the Senator to say Wednesday.

Mr. PETTIGREW. I have no objection to that.

Mr. President, the reason I desire the substitute offered by the Senator from Massachusetts to go over is that I think it can be so

framed as to satisfy me with regard to this inquiry. I simply wish to get at the facts. I wish to speak upon the subject. It is the duty of Congress to legislate. A war is going on which was not declared by Congress, and before we can legislate we must have this information in order to intelligently represent the American people upon this great subject. I think perhaps the substitute of the Senator from Massachusetts can be so amended that it will be satisfactory.

Mr. STEWART. I should like to make an inquiry of the Senator from South Dakota. I inquire if Congress is not already committed to the war in the Philippines by having sent large armies there? Have not 60,000 men been sent there by authority of Congress? It seems late to investigate the cause of the war after the United States, under the authority of Congress and the Executive, has been engaged in it for eleven months.

Mr. PETTIGREW. I will answer the Senator when he is through.

Mr. STEWART. I am through.

Mr. PETTIGREW. Congress did pass a law allowing the Executive to enlarge the Army, but Congress did not declare war and took no step in that direction. During the recess of Congress it was repeatedly said that the President could not do otherwise than he was doing, because Congress had not required him to do otherwise. The excuse was that Congress had not acted upon this matter. The Administration undertook to escape the responsibility of this war by shifting it upon Congress and then refusing to call Congress together. Months elapsed after we had adjourned before the Army was enlarged, and then it was done by an act of the Executive, and this war was commenced by him; it was declared by proclamation from him before the treaty with Spain was ratified, and has been prosecuted by him in violation, as I believe, of every principle of this Government. Congress has now convened, the duty is upon us, and we can not escape it unless we are ready to abdicate our functions as the governing body of this country and to establish the supreme authority of the President himself.

This information, then, is necessary. If we have attacked an ally who was acting with us, representing a government based upon the principles of the Constitution of the United States, it is quite important that the representatives of the people of this country should know the facts, and know them at once. I believe we have attacked an ally; I believe we have been guilty of the grossest treachery; I believe that we have gone further in dishonor toward an ally fighting with us than any nation ever went in all history.

Mr. President, I did not wish to address the Senate to-day upon this subject; neither do I intend to do so. I simply want this information before I do address the Senate upon this subject, and I know of very many people in this country who also desire it.

Mr. STEWART. Mr. President—

The PRESIDENT pro tempore. The subject has gone over at the request of the Senator from South Dakota.

Mr. STEWART. Inasmuch as the Senator and I differ as to what has occurred, I wish to say a word.

The PRESIDENT pro tempore. Is there objection to the Senator from Nevada proceeding? The Chair hears none.

Mr. STEWART. I should like to call the attention of the Senator from South Dakota to some of the provisions of the act of March 2, 1899, which read as follows:

SEC. 12. That to meet the present exigencies of the military service the President is hereby authorized to maintain the Regular Army at a strength of not exceeding 65,000 enlisted men, to be distributed among the several branches of the service, including the Signal Corps, according to the needs of each, and raise a force of not more than 35,000 volunteers, to be recruited as he may determine from the country at large or from the localities where their services are needed, without restriction as to citizenship or educational qualifications, and to organize the same into not more than 27 regiments, organized as are infantry regiments of war strength in the Regular Army, and 3 regiments to be composed of men of special qualifications in horsemanship and marksmanship, to be organized as cavalry for service mounted or dismounted.

Section 15 contains the following clause:

And provided further, That the President is authorized to enlist temporarily in service for absolutely necessary purposes in the Philippine Islands volunteers, officers, and men, individually or by organization, now in those islands and about to be discharged, provided their retention shall not extend beyond the time necessary to replace them by troops authorized to be maintained under the provisions of this act and not beyond a period of six months.

The act provides in detail how the exigencies of the Army existing on the 2d of March, 1899, shall be met, and expressly provides for recruiting three regiments in the Philippine Islands, where the war was raging. The United States had no other war on hand at the time, and no other emergencies existed. The legislation increasing the Regular Army to 65,000 and authorizing a volunteer force of 35,000 men and three regiments to be organized in the Philippine Islands was for the express purpose of prosecuting the war and of suppressing the insurrection in those islands. The war, under the authority of Congress, has been carried on

for about eleven months, until it is too late to inquire how the United States became involved in it. If the inquiry had been made in February last, it might have been pertinent, but now, after my country is engaged in war under the authority of the legislative and executive departments of this Government, and after thousands of precious lives have been sacrificed and millions expended under the authority of the war-making power, it is my country's war, and the origin or motive of the war can not now be questioned. The lives sacrificed and the money expended in a war authorized by Congress should preclude any effort on the part of patriotic citizens to prove that the war was wicked in its origin.

Mr. LODGE. Mr. President—

The PRESIDENT pro tempore. The subject is not before the Senate.

Mr. LODGE. I do not understand that any disposition has been made of the subject.

The PRESIDENT pro tempore. By agreement it has gone over.

Mr. LODGE. I did not hear any question put and I did not hear the consent of the Senate asked. It was my substitute about which the question was made.

Mr. PLATT of Connecticut. The Senator from South Dakota [Mr. PETTIGREW] asked that the substitute be printed and go over.

Mr. LODGE. I heard the Senator from South Dakota make the request, but I did not know that the request had been submitted to the Senate.

The PRESIDENT pro tempore. The Chair understands that he put the request to the Senate.

Mr. LODGE. It is my fault, then, if I did not hear it. I merely wish to say that, while I do not think this is the time to discuss this question, I do not wish to allow statements made by the Senator from South Dakota to go out with the impression that Senators here all admit by silence their truth. I do not believe that we have attacked an ally. I am certain we never recognized that so-called Filipino government. The Filipinos had no government except the government of a dictator, set up by himself to impose his authority on other tribes. They attacked us; we did not attack them. The President has acted in absolute conformity with law from the beginning to the end, and they who are fighting us are insurgents against the rightful authority of the United States.

As the Senator from South Dakota has laid down the propositions which he hopes to discuss further, and I trust he will when he gets the information, I merely wanted to say that these are some of the propositions which some of us also hope to discuss when the matter comes up. I have no objection to having the resolution go over.

The PRESIDENT pro tempore. Is there objection to the resolution going over with the amendment? The Chair hears none, and it will go over until Wednesday.

RIGHT OF SUFFRAGE IN NORTH CAROLINA.

Mr. PRITCHARD. I desire to call up Senate resolution No. 25 for the purpose of enabling the Senator from Alabama [Mr. MORGAN] to submit some remarks on the same.

The PRESIDENT pro tempore. The Senator from North Carolina calls up a resolution, which will be read.

The Secretary read the resolution submitted by Mr. PRITCHARD December 12, 1899, as follows:

Whereas the legislature of the State of North Carolina, at its session of 1896, submitted to the people of that State, for ratification or rejection, a proposed amendment to the constitution of said State, as follows:

"SEC. 4. Every person presenting himself for registration shall be able to read and write any section of the Constitution in the English language; and before he shall be entitled to vote shall have paid, on or before the 1st day of March of the year in which he proposes to vote, his poll tax as prescribed by law for the previous year. Poll taxes shall be a lien only on assessed property, and no process shall issue to enforce the collection of the same except against assessed property."

"SEC. 5. No male person who was on January 1, 1867, entitled to vote under the laws of any State in the United States wherein he then resided, and no lineal descendant of any such person, shall be denied the right to register and vote at any election in the State by reason of his failure to possess the educational qualifications prescribed in section 4 of this article: *Provided*, He shall have registered in accordance with the terms of this section prior to December 1, 1908. The general assembly shall provide for a permanent record of all persons who register under this section on or before November 1, 1908, and all such persons shall be entitled to register and vote at all elections by the people in this State, unless disqualified under section 2 of this article: *Provided*, Such persons shall have paid their poll taxes as required by law."

And whereas section 5 of the proposed amendment undertakes to confer the right of suffrage on one class of citizens of that State and to exclude another class of citizens from the enjoyment of said privilege:

Resolved, That section 5 of the proposed amendment is in contravention of the fourteenth and fifteenth amendments to the Constitution of the United States, and that any State that adopts said provision as a part of its organic law does not possess a republican form of government as contemplated by the Constitution of the United States.

Mr. PRITCHARD. I ask leave to withdraw the pending resolution and offer a substitute.

The PRESIDENT pro tempore. The Senator has a right to do that. The proposed substitute will be read to the Senate.

The Secretary read as follows:

Resolved, That an enactment, by constitution or otherwise, by any State which confers the right to vote upon any of its citizens because of their descent from certain persons or classes of persons, and excludes other citizens because they are not descended from such persons or classes of persons having all other qualifications prescribed by law, in the opinion of the Senate, is in violation of the fourteenth and fifteenth amendments to the Constitution of the United States and of a fundamental principle of our republican form of government—

The PRESIDENT pro tempore. Without objection, the original resolution will be regarded as withdrawn and the resolution just read will be substituted for it.

Mr. MORGAN. Mr. President, the resolution read at the desk reveals the fact that we have reached a danger point in the history of the Republic which we can not avoid or neglect.

It has not been suddenly or designedly sprung upon the country by any recent event or by any recent political movement.

The immediate cause of this dangerous condition originated more than a third of a century ago, a time that antedates the birth of this generation of Americans. The trouble has lingered like a smoldering fire, burning into the vitals of the country and creating discord and irritation, political and social, and now it has reached the open and demands our best efforts to control it.

The Senator from North Carolina (Mr. PRITCHARD) has wisely discerned that this serious and unavoidable question is now before the country for solution by popular suffrage. With equal forecast, and, doubtless, a desire for the peace of the country, he asks for its consideration before the great event of a Presidential election, the first in the new century, has resulted in a vote of the electors for President and Vice-President and before February, 1901, when the election will be ascertained and declared in the two Houses of Congress. In view of that certain event, it is not possible that this question can be repressed or evaded, either in the Presidential election or in the elections for all the members of the House of Representatives and one-third of the Senate in this year of 1900.

The next apportionment of representation in the House enjoined by the Constitution must be made by this or the Fifty-seventh Congress, and the principles on which that apportionment will be made will be a question of the gravest importance in the elections that must be held in November of the present year.

To refuse now to consider this question, in advance of these elections, is to draw the country into the vortex of angry and dangerous excitement such as seriously threatened the safety of the Republic in 1876 and 1877.

Whichever of the great national parties is successful in the November elections, this question will be raised in the count of the votes for President and Vice-President.

It is a very high and solemn duty, that should be performed before the elections are held and at a time when the decision will not be so likely to refer to the success of either party in that event which determines the succession to the Presidency and is the most momentous political contest that occurs in any nation of the world.

In the light of our experience in 1877, which created a feeling of unrest that has not yet ceased, we can not afford to permit an unsettled question that we know can not be avoided to engender another controversy such as arose in the Hayes-Tilden election. The people should decide it in the elections of A. D. 1900 upon propositions submitted to them in some form.

I am convinced that no other tribunal except the people voting in the elections has the right or the power to finally settle this question here presented in the resolution offered by the Senator from North Carolina, and I will endeavor to sustain this view of the matter in my further remarks to the Senate.

The resolution as amended and also in its original form is not intended to have the force of law, as it should have, if the Senator from North Carolina really desires such action as will settle the question he forces upon the attention of the country. It is only an expression as to what he thinks the law ought to be. It is not an enactment, but is the expression of a view or opinion. If such a resolution is not obeyed, there are no penalties for its violation, either by individuals or by the State. No results follow its violation in any legal sense. A departure from the principle stated in the resolution as a correct principle of government involves only a difference of opinion between those who adhere to it and those who choose to reject it.

The resolution, in its original form and as it is modified, if it is adopted, would not control this or a subsequent Congress either as to the form or the substance of any enactment that Congress may make for the enforcement of the fifteenth amendment of the Constitution.

If we should adopt the resolution it would be brutum fulmen that this Congress or a subsequent Congress would follow or reject at will.

The honorable Senator would doubtless have presented a bill that would reach and prevent the alleged wrong or evil he intends

to suppress or prevent if he could have devised a scheme by which he could coerce a State to amend its constitution under the penalty of being driven from the Union or of being refused representation in Congress or in the electoral college.

It is too plain for argument that such a measure would abolish the State as to all its rightful sovereign powers, and would demand it to the condition of our organized Territories, all of whose laws may be repealed by Congress and all of whose officials may be placed under the power of appointment and removal by the President.

In his original resolution the honorable Senator distinctly took this ground as to the duty and power of Congress in dealing with any State whose constitution violates the fifteenth amendment when he asserted that such a State has not a republican form of government. On further reflection he endeavors to get away from this dangerous ground and to retreat to a position that is apparently less strenuous, somewhat less heroic, and less dangerous to the State and the Federal Union. It is evidently intended by this substitute to declare in another form of words the same principle and the same appeal to the power of Congress to deal with a State, as such, that is only more distinctly expressed in the Senator's original resolution.

The substitute is as follows:

Resolved, That an enactment by constitution or otherwise by any State which confers the right to vote upon any of its citizens because of their descent from certain persons or classes of persons and excludes other citizens because they are not descended from such persons or classes of persons, having all other qualifications prescribed by law, in the opinion of the Senate is in violation of the fourteenth and fifteenth amendments to the Constitution of the United States, and of a fundamental principle of our republican form of government.

A particular state of facts is here presented, which is declared as violative of the fourteenth and fifteenth amendments to the Constitution and as being also violative of "a fundamental principle of our republican form of government."

The allusion here is distinctly made to the fourth section of the fourth article of the Constitution, which is that "the United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion," etc.

I suppose the Senator will admit that this is the section and article to which he refers when he speaks of "a fundamental principle of our republican form of government." The point in both forms of the resolution is that Congress can deal directly with North Carolina and inflict penalties on her as a State, and as a State standing by itself, if she amends her constitution in the manner described in the preamble to the resolution.

The substituted resolution I have just read is not true in point of law. It is not a discrimination on account of race, color, or previous condition of slavery, unless the act excludes them by its terms, or by necessary intendment from its terms, for such causes. The exclusion of certain persons or classes of persons or their descendants can be lawfully made in many cases and for many reasons that have no relation to race or color or previous condition of servitude.

The resolution begs the question when it admits the right to exclude those who have not all the other "qualifications prescribed by law" from the right to vote.

Chinamen, Japanese, and Indians, who are citizens of the United States, may be lawfully excluded from the right to vote for any reason, even for their race or color, simply because the States prefer to refuse them that privilege; yet in all other respects they may have the qualifications prescribed by law.

Many white persons who were engaged in rebellion against the United States were excluded from the right to vote by acts of Congress passed after the alleged ratification of the fourteenth amendment. They possessed all the other qualifications, but imputed crime disqualified all of certain classes of white persons from voting and still excludes all of them from holding office whose disabilities have not been removed by a vote of two-thirds of each House of Congress.

It has been settled in various cases by the Supreme Court that the fourteenth and fifteenth amendments apply exclusively to the negro race.

These decisions are far short of the full meaning of the text of these amendments, although they agree with the common understanding of the purpose of their ordination. An Indian or negro State could constitutionally exclude white men from voting on account of race or color under these decisions, but it is held that no State can lawfully exclude negroes from the ballot box for the same reasons.

In his effort to obtain a vote of the Senate denouncing a proposed constitutional amendment, now pending before the people of that State, the Senator from North Carolina has stepped over the lines of protection created by the sovereignty of the State as to defining the right or privilege of suffrage, and denies to North

Carolina the right to confer upon its citizens the right to vote because they are descended from certain persons or classes of persons and exclude other citizens who are not descended from such persons or classes of persons.

Many free negroes fought for the Whigs in North Carolina in the war of the Revolution, and all free negroes having certain property qualifications were qualified voters under her first constitution. If those who fought with the Whigs had been admitted as qualified voters, while all other free negroes were excluded, that would not have been a discrimination on account of race, color, or previous condition of slavery; yet it would have applied to race and color and to a special cause of qualification that the negroes who fought with the Tories did not possess.

If such a qualification could then be applied to free negroes who fought for the United States in aid of the revolution that succeeded in that struggle, without creating a discrimination as to race, color, or previous condition of slavery, it would equally apply to the class of negroes who aided the United States in putting down the revolution of 1861-65.

There is no more reason under the Constitution for refusing to extend these privileges to the children of negroes who were soldiers in either war than there would be for refusing to extend their pensions to their descendants.

In North Carolina the question before the people as to the purpose of the proposed amendment of the constitution is the same in substance if it is not identical with that which is embodied in the constitution of Louisiana.

In Louisiana the constitution adopted May 12, 1898, is an entire and complete body of organic law, inseparable in its integrity and incapable of being so dealt with as to take from it the provisions relating to the qualifications of electors and to registration of voters and as to elections, without destroying the plan of government. If such provisions are eliminated from the constitution there are none to be substituted for them so as to patch up a constitution formed in part of the present constitution and in part of the former constitution, which it has substituted and repealed.

It must be the purpose of the resolution before the Senate to draw into question the validity of these features of the constitution of Louisiana as a test of the constitutional validity of the proposed amendments to the constitution of North Carolina.

I will therefore treat the resolution in that light.

On examining the full text of the Louisiana constitution bearing on the question of negro suffrage, I am satisfied, contrary to my first impression, that its legal interpretation discloses no purpose to discriminate against any person claiming the right to vote at any election on the ground of his or her race, color, or previous condition of slavery.

The general belief as to the purpose of those who ordained this constitution is that it was intended to disfranchise a large number of negroes as to their right to vote in Louisiana. It is possible that Congress may reach that conclusion, and will proceed, with such powers as they possess, to the effort to annul the constitution of Louisiana by replacing it with laws that will repeal those parts relating to suffrage and institute other provisions in their stead. It is also possible that Congress will adopt the plan proposed in the original resolution of the Senator from North Carolina and declare that Louisiana has no government that is republican in form.

The necessary consequence of such a declaration would be that the State would be reduced to a Territorial government, or will be placed under military supervision, as Georgia, Alabama, Louisiana, Texas, and other States were held under the reconstruction laws of 1867, and held in that grasp of power until the people have formed such a constitution as will meet the approval of Congress; yet it is far from being probable that Congress will venture so rashly. The die is cast in Louisiana, and Congress must decide upon their own judgment and responsibility to the people, whether that State has violated the fourteenth and fifteenth amendments of the Constitution of the United States, and, if they so decide whether any and what measures will be taken to haul the State in order.

I need not say one word to impress the Senate and the people with the dread significance of this situation. I can only appeal to the forbearance, the wisdom, and patriotism of Congress and the people for a dispassionate consideration of the subject. It is clear, I think, to everybody that when any remedy or penalty is to be enforced against a State, under either of these amendments, Congress has the sole and exclusive power to deal with the subject by appropriate legislation, but it must do this within the clear limitations of its authority. If the rights of any person are alleged to be denied by any other person or by a State, the jurisdiction that can give a remedy is in the judicial department, when Congress has conferred that jurisdiction.

The judgment of a court, operating in personam, can enforce the personal rights of the injured party under the fourteenth amendment when Congress has provided such a remedy. No such

jurisdiction or remedy is provided under the fifteenth amendment. The exclusive power given in the fifteenth amendment is that of appropriate legislation by Congress. That power touches the States and the United States as governments; and if it is ever extended so as to affect the rights and remedies of persons, that can only be done by appropriate legislation.

Until it is so expressly provided by law neither the courts nor the Chief Executive can take any action against a State or a person to enforce the fifteenth amendment.

Any question of coercion, therefore, that arises under the fifteenth amendment as against a State or its officers is legislative—which means political—and is neither judicial nor executive until it is made such by act of Congress. All the relations between Congress and the States are political.

The obedience that the States, as such, are required to observe toward the United States, where the laws of the United States are supreme, is political in its character and can not be enforced by the decrees of the courts.

The Supreme Court follows the lead of Congress in such questions. Whatever law of Congress or act of Government that relates to the relations of the States and fixes them, like the relations with foreign governments, is political, and the Supreme Court has uniformly refused to take jurisdiction of them.

The Supreme Court, in a number of cases, have considered the fourteenth and fifteenth amendments separately and in connection, and no suggestion of any conflict between them has been made.

According to accepted rules of construction, that apply with peculiar force to organic laws, each ordinance and every part of each must stand in full effect, if that is possible, and each will be operative in the field of action that is open to it.

Yet the whole body of the organic law must be construed together as one complete system.

The deductions to be made from the fourteenth and fifteenth amendments of the Constitution in their relation to negro suffrage, as the same are construed by the Supreme Court, are:

First. That so far as they relate to suffrage they affect only the negro race who are citizens of the United States.

Second. That they protect negro suffrage only against the operation of laws that exclude them from voting, by provisions that discriminate against them on the ground of race, color, or previous condition of servitude.

Third. That the power to extend this protection is legislative and is vested in Congress, to be exercised by appropriate legislation.

Fourth. That when Congress exercises this power directly against a State it is expressly limited to the right to reduce the basis of apportionment of such State in the proportion that the number of negroes that are excluded from voting by the State laws bear to the whole number of male citizens 21 years of age in such State.

Fifth. Whether the fourteenth and fifteenth amendments repeal or modify the fourth section of Article I of the original Constitution as to the legislation that Congress may provide for the especial protection of negro suffrage is a question that does not concern what Congress may do in the enforcement of those amendments.

Sixth. But in all the provisions of the Constitution touching the subject of elections none of them are self-executing as against the States concerned. As to the States, and as to any penalties or remedies that can be enforced against them, no power exists in any department of the Government, except Congress, through appropriate legislation.

If Congress refuses to act, neither the courts, through any writ or decree, nor the executive, through any force confided to it, can take a single step toward compelling the obedience of a State to the fourteenth or fifteenth amendments.

If acts of Congress enforce these amendments and individuals are affected by them or by State laws which they contravene, they operate, as do all other provisions of the Constitution, to test the validity of such acts, and the courts can decide as to their validity and enforce it where they have jurisdiction of the parties. To this extent and in this way all the provisions of the Constitution are self-executing.

It is quite a different question when the courts or the Executive undertake to enforce the Constitution against a State, in any form of procedure, when Congress has not defined the offense or provided a penalty. That is simply impossible. And Congress can inflict no penalty on a State for refusing suffrage to negroes except that which is provided in the fourteenth amendment.

That amendment, by a necessary implication, prevents Congress from driving a State out of the Union or from remanding it to a Territorial condition for refusing suffrage to negroes. And by clause 3 of section 2 of the Constitution, which provides that "each State shall have at least one Representative" in the House; and by the provision in Article V—which can not be amended—"that no State, without its consent, shall be deprived

of its equal suffrage in the Senate," no State can be destroyed or expelled from the Union by act of Congress.

While Congress can, in certain cases provided for in the Constitution, enact laws that are supreme within a State, it can not create or adopt a constitution for a State.

The following questions bearing directly on this discussion are settled: In *Minor vs. Happersett* (21 Wallace, 192) it is decided that citizenship of the United States does not carry with it the right of suffrage and that the Constitution of the United States does not confer the right of suffrage upon anyone. That power belongs to the constitution and laws of the States.

In the case of *United States vs. Reese* (92 U. S., 204) it is held that the fifteenth amendment to the Constitution of the United States does not confer the right of suffrage, but it invests citizens of the United States with the right of exemption from discrimination in the exercise of the elective franchise on account of race, color, or previous condition of servitude and empowers Congress to enforce it by appropriate legislation.

The power of Congress to legislate at all upon the subject of voting at State elections rests upon this amendment and can be exercised by providing a punishment only when the wrongful refusal to receive the vote of a qualified elector is because of his race, color, or previous condition of servitude.

In *United States vs. Cruikshank* (92 U. S., 542) it is held that the Government of the United States, although it is, within the scope of its powers, supreme and beyond the States, can neither grant nor secure to its citizens rights or privileges which are not expressly or by implication placed under its jurisdiction. All that can not be so granted or secured are left to the exclusive protection of the States.

The duty of protecting all its citizens in the enjoyment of an equality of rights was originally assumed by the States, and it still remains there. The only obligation resting upon the United States is to see that the States do not deny the right. In *Ex parte Yarbrough* (110 U. S., page 665) the Supreme Court say:

This new constitutional right was mainly designed for citizens of African descent. The principle, however, that the protection of the exercise of this right is within the power of Congress is as necessary to the right of other citizens to vote as to the colored citizen and to the right to vote in general as to the right to be protected against discrimination.

In *Williams vs. Mississippi* (170 U. S., 213) the Supreme Court hold that "the discrimination that is violative of the Constitution as amended must appear on the face of the State law or by a necessary intendment from it and not from the manner in which the State law is administered."

In all these decisions we find that Congress alone can exercise the power to protect the negro against discrimination in respect of the right to vote, and that its power under the fourteenth and fifteenth amendments is confined to this sole purpose.

It must also be such a discrimination as appears on the face of the law that is complained of, and must relate alone to race, color, or previous condition of servitude. It is not enough to invoke the interference of Congress that such discrimination is possible, or even probable, under the administration of the law. It must be found in the legal construction of the law and in its legal effect. In this view of the law that governs in these matters the decision in the *Mississippi* case is conclusive to show that the text of the Louisiana constitution is not a legal discrimination against the negro on account of his race, color, or his previous condition of servitude, and the act is valid against the power of Congress to interfere with it.

The necessity for interference by Congress does not appear on the face of the Louisiana constitution, and Congress can not create that condition precedent to its action by a mere declaration, such as is called for in the resolution of the Senator from North Carolina. The contemplated action of North Carolina being the same in substance with that already taken by Louisiana, it is unjust to those people, and it will be in vain, that we fulminate resolutions of the Senate against them to alarm them into the further surrender of their rightful sovereign powers.

I assume, therefore, that no right to vote is vested in or confirmed to any person by the fifteenth amendment, except in the special instances mentioned in *Yarbrough's* case, and Congress can refuse to ride down a provision in a State constitution which denies to a negro the right of suffrage to the same extent that they could refuse to interfere if suffrage was denied to a white man because he is white; and such refusal puts it beyond the power of any other tribunal to interfere. Congress represents the will of the people and its majority vote is conclusive, as the verdict of the people, while it stands unreversed.

It is by no means a forced inference or conclusion drawn from the text of the fifteenth amendment of the Constitution, or from its close correspondence with the like provision in the fourteenth amendment, or from the circumstances attending its adoption in Congress and its ratification by the requisite number of States, that it was intended to take the entire subject of negro

suffrage from under a fixed rule of a constitutional guaranty and to leave it on the footing of a political question, to be determined by the votes of the people as experience and a wise public policy may require.

It was a mistake that has so far been destructive of our national harmony and has afflicted the people with incalculable evils, when we put the recognition and guaranty of slavery in the Constitution of the United States. It should have been left in the control of the lawmaking power of each State where it existed to continue it or abolish it, and within the power of Congress to admit or abolish it in the Territories.

A like mistake in regard to an established church was made in the constitution of the Latin States of America.

These two organic troubles fixed in the constitutional laws have kept this hemisphere beset with revolutions and almost unceasing warfare for nearly a century. Neither of them would have caused any serious trouble if these Republics, based on the freedom of man in his person and his religion, had left the restraints on those liberties which existed when the Republics were formed, to be relaxed or removed in obedience to public opinion, which, after all, is the controlling power in free governments.

If the mind that conceived and formulated the fifteenth amendment was directed to the purpose of bringing the whole subject of negro suffrage again within the control of the people, through their Representatives in Congress, acting within ordinary and appropriate powers of legislation and without the necessity of again amending the Constitution, it was as wise and benignant a thought as ever entered the brain of a statesman or found a response in the heart of a patriot. Whatever was the purpose, I am satisfied that this result has been reached, and that it now rests with Congress exclusively to say when and how far negro suffrage shall be modified or how far it shall be sustained.

The people through the fifteenth amendment have reserved the power to themselves to say in acts of appropriate legislation what disposition shall be made of negro suffrage in the States. This Legislative power is, of course, regulated by other limitations in our constitutional system of government, and is subordinate to the preservation of the Union and the integrity of every State that is a member of the Union. A State can not be relegated to a Territorial form of government or otherwise entirely deprived of its representation in the Senate or House of Representatives or in the electoral colleges because it has abolished negro suffrage in whole or in part. If its representation can be reduced for that cause, the fourteenth amendment furnishes the rule and prescribes the limit of such reduction.

The question of the protection of the suffrage of the negro against discrimination under the laws is the only one in reference to which the Constitution gives specific plenary and discretionary power to Congress, to be exercised by appropriate legislation or to be declined if Congress refuses to exercise the power. It is not mandatory, and no man can be conscience bound to exercise the power if he feels that it would imperil the country. In the fourteenth amendment the power to reject the negro vote is admitted, in favor of the States, and this right is nowhere taken away.

If the right thus given to the States is taken away by the fifteenth amendment, as I do not believe it is, the power of Congress over the subject is again repeated separately in that amendment, and it stands as the sole authority to deal with the subject, to be exercised at the discretion of Congress. It may be that a power is given to Congress to deprive the State of the right reserved in the fourteenth amendment, but, if so, it is only a power and Congress is not bound to use it.

Unquestionably this legislative power is political and is not judicial, and it conveys no vested right in the negro race to vote that can stand against the power of Congress to permit a State to disqualify them by refusing to proceed to enforce their demand for the ballot.

If Congress can enforce the demand of the negro for protection against discrimination in the ballot, by appropriate legislation, they can in their discretion, refuse or omit to enforce that demand. The grant of power to Congress to enforce the fifteenth amendment necessarily implies a discretion in its use. The Supreme Court has declared, in several cases, that neither the fourteenth nor the fifteenth amendments give the negro any vested right to the ballot. It is not, therefore, a right, but a policy, that is established and Congress is the sole judge as to the time and the occasion for enforcing that policy.

It was an auspicious day in the history of this grand Republic when the rules of constitutional restraint or mandate were so far relaxed as to allow the people to deal with this race question according to their just judgment concerning the safety of that race and the rightful supremacy of the white race.

If the new constitution of Louisiana and the proposed amendments to the constitution of North Carolina are in conflict with the fourteenth and fifteenth amendments of the Constitution of the United States, the whole subject of discrimination against

negro suffrage is now presented to Congress and the people, to be settled by appropriate legislation, suited to the present situation, as duty and the general welfare shall hereafter require, and we are not forced to the difficult process of amendment to save the peace of the country. What, then, is the present duty of the American people on this subject, and what is the present requirement of the general welfare as to negro voters and the negro in politics?

More than half, probably three-fifths, of the voters of the United States, to whom these questions now address themselves, had no part in conferring suffrage upon negroes, and they are free from responsibility and largely from prejudice in the matter.

The fifteenth amendment was proclaimed on the 30th of March, 1870, as part of the Constitution, and no man born later than March 30, 1849, could have had a part in its adoption or ratification. Those who participated in it are 50 years old and upward. A new generation, in which every lawful voter has the right to be heard on this subject, as if it were for the first time presented, must be permitted to express its free and untrammelled opinion on this question, "Shall Congress proceed to deal with Louisiana for the course she has taken in amending her constitution in respect of the right of suffrage, or shall she be let alone?"

If the people say she shall be let alone, she will not be disturbed. This new generation of Americans are freethinkers and bold actors, within the limits of their rightful authority, on all matters that concern them and their posterity, and questions will be answered by them according to their merits and not according to the passions or prejudices of the former times in which they originated.

They now see that the Louisiana question must be disposed of, and that the Senator from North Carolina has raised it on the resolution now under discussion, and the Hon. Mr. CRUMPACKER has raised it in the other House on a bill to amend the census laws, and it must be decided.

They see that after the lapse of more than thirty years since negro suffrage was inaugurated, and in a time of political tranquillity, a State that still dares to claim the proud title and heritage of a sovereign State of the American Union has deliberately and carefully completed the work of reconstructing her organic law and has included in her new constitution certain restrictions upon the qualifications of voters.

These new restrictions are condemned in the resolution now under discussion as being in violation of the provisions of the fifteenth amendment of the Constitution of the United States, which forbids any State from denying to any citizen of the United States the right to vote because of race, color, or previous condition of servitude.

The great body of the voters in Louisiana who have ordained this constitution are men under 50 years of age and were never slaveholders. They are not affected by the relations that existed between former slaves and their masters, but are confronted with a race question that is maintained by both races with constantly increasing vigor and is already a settled aversion, attended with ill-concealed bitterness, jealousy, and hatred.

There is no possible relief from this condition except to draw the lines of political separation as clear and as deep as is the line of racial distinction between them. It is the blood of the races that can not lawfully mix, and no marriage tie is possible to create a lawful or tolerable union between them.

The separation is for the good of both races and is irrevocable. Being the work of divine wisdom, it is right and is not discreditable to either race.

In physical, mental, social, inventive, religious, and ruling power the African race holds the lowest place, as it has since the world has had a history, and it is no idle boast that the white race holds the highest place. To force this lowest stratum into a position of political equality with the highest is only to clog the progress of all mankind in its march, ever strenuous and in proper order, toward the highest planes of human aspiration.

Whoever has supposed or has endeavored to realize that free republican government has for its task the undoing of what the Creator has done in classifying and grading the races according to His will overestimates both the powers and the duties of its grand mission.

It is a vain effort and is fatal to the spirit and success of free government to attempt to use its true principles as a means of disturbance of the natural conditions of the races of the human family and to reestablish them on the merely theoretical basis, which is not true, that, in political power, all men must be equal in order to secure the greatest happiness to the greatest number.

The true, distinctive feature of republican government, based on the sovereignty of the people as the source of power, is that it is in every feature representative. In this it differs essentially from every form of government that looks up to some alleged superior power as having the right to govern the people.

The representative, when chosen, embodies the will of the people, and the majority rules in a republic.

If the republic includes two distinct races—the highest and the lowest in the scale of intelligence and capacity for wise and good government—their respective representatives can not be equal in ability and influence; and this fact destroys the possibility of equality in political power. One class of representatives will dominate the other so completely that the idea of free and equal government will be banished, and the results will establish the race that is dominant over the other as a subordinate, thereby converting the republic into a practical autocracy.

If the races are nearly equally divided in numbers, continual warfare will be the result.

The history of the Republic of Santo Domingo, where the contest is between the negro and the mulatto, will become the history of our Southern States if the basis of voting remains as it is, and the finale will be the expulsion of the negro or his extermination.

In our Republic, State and Federal, an arbitrary rule of law is adopted for the first organization and for all subsequent steps in government, which excludes four persons in each group of five from any right to a voice in government.

This selection relates only to age and sex. It excludes all who are not over 21 years old and selects the fifth person—a male—as the representative of himself and the four other persons, without reference to race, except as to Indians, who are entirely excluded. In a mixed community of whites and negroes the negro representative selected under this unnatural and purely arbitrary rule represents, in fact, the nonvoters of both races, while in his actions and votes he represents the clannish, exclusive, and embittered prejudices of the negro race, or else the personal influence of some white political master, who uses him to multiply his power. This is not an accidental or temporary condition that can be changed. It is a permanent and fixed condition that is inherent in the nature of these races, who are separated by as wide a distance as the Divine Creator could demark in assigning to each a separate and useful sphere of duty in the world.

The voter is a distinctively representative man, not chosen by his constituents and having no responsibilities toward them; and the choice of a negro, by an arbitrary law, to such an office is a political marriage and miscegenation. It can not be extended into the social relations of the races without depraving the white man or woman to the social and racial level of the negro, and therefore it breaks the interdependence of the social and political relations of the people of the Republic, which constitute the true life and strength of our form of government.

A line of social cleavage, defined by race antipathies, that separates vast masses of our people into antagonistic or competitive bodies can not be closed or obliterated by any contrivance of political union between them. The division will only be made more distinct and more permanent by such efforts. Political dissension added to race antagonism can never produce harmony in this Republic. And when our political action is separated by law from the social instincts and sentiments of the white people of this great Republic, its end can not be far distant.

The people of Louisiana, after nearly forty years of terrible experience, have taken the only peaceful methods left open to them to rid themselves of this fatal evil and injustice, for which they were never in any sense responsible; and the honorable Senator from North Carolina is here endeavoring to rivet the chains upon her and, in turn, to paralyze the effort of the people of North Carolina to escape from the same horrible condition.

Several of the other Southern States, urged by the younger men, born since 1847, and many older men, are moving, under the same impulse, in the same direction. They have not yet despaired.

It is the experiences of the younger men, arising out of the effort to work negro suffrage into our political system as a harmonious element, and not the prejudices or resentments of the former slaveholders, that have prompted this strong and decisive movement in the Southern States. It will never cease unless it is held down by military power. It is a social evil as well as political, and the cost of its suppression will not be counted by this and succeeding generations in connection with questions of material prosperity.

No great body of white people in the world could be expected to quietly accept a situation so distressing and demoralizing as is created by negro suffrage in the South. It is a thorn in the flesh and will irritate and rankle in the body politic until it is removed as a factor in government. It is not necessary to go into the details of history to establish the great fact that negro suffrage in Louisiana and the other Southern States has been one unbroken line of political, social, and industrial obstruction to progress, and a constant disturbance of the peace in a vast region of the United States.

No historian will ever be able to collect a hundredth part of the facts of that distressing history.

Few men and few families, white or black, have escaped its baneful effects.

Nothing could have been more unfortunate for the negro race or more disturbing or demoralizing to the white race.

Armed with the ballot, on the pretext that it was necessary for the protection of their rights and as the complement of their manhood, it has afflicted them with social aspirations that are impossible of realization, and in their disappointment they have constantly persisted in seizing by force the privileges that they vainly strive to attain to, as grotesque decorations of their liberties. Under the license which they include in their notions of liberty, desperate crime has been very often resorted to as their means of success, until there is no real safety for women and children exposed to their brutality even in the suburbs of Washington.

The ballot which was given them as a weapon of defense has been used by their white allies and leaders to fight their own battles for political offices and power, and this unscrupulous league of politicians have been always present in Congress, demanding seats in the Houses and looting the Treasury in the expenses of contests, all based on alleged frauds in counting the votes cast by negroes or in refusing to count votes that they did not cast.

In many places in the South the negroes have come to realize that there is an increment of value in the ballot, and many thousands of them are being sold, with little concealment, in doubtful counties, at \$1 a vote.

It is not disputed or doubtful history nor concealed facts that I am quoting. I speak only of what is known almost of all men.

Neither is it to me a pleasant task. It is most disagreeable to every honorable man in the South to listen from year to year to accusations against our Southern people of frauds in the elections.

Nor is it any relief to know that equal or more dangerous frauds are practiced on white men in the Northern States.

If Southern white men have falsified election returns, they have the stronger, if not the better, reason that they are acting upon the same law of self-defense that insulted and outraged human nature resorts to for the protection of homes and families, women and children, from a race that sets at defiance all moral restraints upon their brutal desires and fills the country with horrors that defy description and a retaliatory vengeance that infuriates its inflictors with a spirit of uncontrollable rage. This generation and those who preceded them and were born in the nineteenth century were not responsible for the origin of this evil in America. It came here with the importation of negro slaves, who were in Africa the slaves of their own kindred.

It will be greatly modified when the white race are emancipated from the low standard of political equality with the negro race. It will end only when we, in obedience to a high obligation of national duty, have provided a home for the negro race that is suited to their traits, abundant in productions for their comfortable existence, and encouraging to their growth and full development—a country where the skies above them are not of brass, as they are here; a national home, in which there is full opportunity for their growth in body, mind, and spirit to the full stature of which they are capable and in the full enjoyment of religious and political liberty.

I owe them nothing but good will, but I can not include in that debt the sacrifice of the honor of the white race or the destruction of its prestige and hard-earned institutions of government, either to flatter their vanity or to reward those with power who have cursed this country with their enforced presence, or those who employ that race for the oppression of my native Southland. I was a soldier of the Confederacy, and, while I have always regretted the necessity that put me under arms in open hostility to the flag of our common country, I feel, as every Confederate soldier feels, that it is a peculiar honor that we were the only white men ever called upon, as soldiers, to defend the white race against a fanatical attack of so-called reformers and the deliberate organization of ambitious politicians, who forced us into war by their cruel design to put negro slaves on a political and social footing of equality with us.

So long as men are held responsible for the natural consequences of their acts we must feel that the events that led to that war anticipated, and that the consequences that resulted from it were intended to humiliate the Southern people to a social and political level with the negro race.

That feeling is now operating on the people of the later generation in creating a resentment that seems to increase, as it is constantly being more clearly developed, that the repose of the country is impossible while the present condition continues.

There are some propositions that are undeniable, which prove that perfect accord between the former warring sections of the Union can never be attained so long as the negroes are forced upon the white people of the Southern States as full and equal participants in the ballot box.

It was the presence of the negro in the United States that caused the civil war. If he had never been brought here there would have been no cause for that terrible conflict.

It is his voting power, in the control of white men, that caused

the fourteenth and fifteenth amendments of the Constitution and the acts of reconstruction, which sunk the States affected by them to a lower condition in the rights of self-government than that of the Territorial governments. It was the presence of the negro that called the Army into the control of State governments and placed the legislatures and the courts under military guard.

The negro voter and the alleged civil rights of that race led to the effort to impeach a President of the United States and caused the perilous contest over the election of another President and Vice-President.

Many contests for seats in the House of Representatives and three contests in the Senate have been based upon alleged frauds that deprived negroes of their right to vote.

Many good and honorable white men have been sent to the penitentiaries for alleged interferences with negro votes and voters. In all the Southern States, and in a large number of counties and municipalities negro voting has caused tumult and violence, and over the entire South the depression of values and the interruption of industries for this cause has cost the people heavy losses.

Unrest, heated resentments, and personal violence have disturbed the people and have caused them to distrust the Government and sometimes to resist its authority. Judges and other State officers have been fined and locked up in prisons for alleged violations of laws enacted for the especial benefit of the negro race.

The catalogue of such events would be long and dark if it could be written so as to include them all. All this has been done to force the negro into political and social equality with the white man, and it has resulted in utter failure to lift that race into this artificial relation with the white race.

Nature is against it, and the real sentiment of the white people of the United States is averse to the continuance of this dangerous condition.

Louisiana has suffered from this cause as few other peoples have. The history of the conflicts and sufferings of her people in more than a third of the nineteenth century, if it could be written, would give support to her appeal to the people of the United States for deliverance that ought to reach the heart of every patriot in the land.

The appeal of North Carolina for the peaceful allowance of the restoration of her people to their former right of controlling their own affairs, without negro interference, will soon be announced by her people.

In the spirit of her Mecklenburg declaration of independence, but in loyal obedience to the laws and the will of the people of the United States, North Carolina declares the rights of her people, and will proceed to their protection unawed by any resolution the Senate may adopt with a view to rivet the chains upon their arms.

If the people of the United States shall vote, in the election of members of Congress in 1900, that Louisiana and North Carolina shall be let alone, they will not be disturbed for having done what every State would do, if this were a new question, now for the first time submitted to those States.

The Democratic party of the United States has always been a white man's party, and when the appeal of the people of Louisiana and North Carolina, supported by the Democrats in all the Southern States, is made to them they and a vast body of white men all over the country who have not acted with them in the past will unite in a demand that these sovereign States shall not be destroyed for taking care of the lives and happiness of their people.

If negroes had been admitted to the right of suffrage by the States as foreign-born persons are admitted to citizenship and suffrage—man by man, on an examination of their knowledge of our institutions and as to their personal qualifications to understand and honestly to exercise the privilege of voting—this dangerous evil would, probably, have been so far controlled, at least, as to have secured the peace of the country. Or if in the Philippine Archipelago a happy home is found for the African race, to which they would flock with rejoicings and grow into power beneath our flag, and among a people many of whom are their near kindred, there would be few to regret that our free Republic, with its free religion, had expanded to open this door to humanity.

Mr. PRITCHARD. Mr. President, I ask that the resolution lie on the table for the present. I desire to give notice that on the 22d of this month I shall call it up for the purpose of submitting some remarks on it.

The PRESIDENT pro tempore. The Senator from North Carolina asks unanimous consent that the resolution lie upon the table, subject to his call. Is there objection? The Chair hears none, and it is so ordered.

THE FINANCIAL BILL.

During Mr. MORGAN's speech, The PRESIDENT pro tempore. Will the Senator from Alabama suspend for one moment?

Mr. MORGAN. Certainly.

The PRESIDENT pro tempore. The hour of 2 o'clock having

arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 1) to define and fix the standard of value, to maintain the parity of all forms of money issued or coined by the United States, and for other purposes.

Mr. ALDRICH. I have no disposition to delay the remarks of the Senator from Alabama, but I should like to say that I would be glad to reach some understanding, if I can, as to the progress of the debate. I suppose some Senator in opposition to the bill may be ready to speak after the Senator from Alabama has concluded, or I should like to inquire what is the desire of Senators on the other side of the Chamber in regard to it.

Mr. JONES of Arkansas. There is no desire on this side to delay the discussion of the bill. During the Christmas holidays, however, most Senators have been absent from the city, and I doubt if any Senator is ready to proceed to-day with the discussion of the bill. I would prefer that there should be no pressing action taken at present for the reason that there is no disposition to delay. We recognize the fact that you have a majority and that you can pass the bill without very much delay. We only want time enough to allow Senators to be prepared to make such arguments as they choose to make against it.

Mr. ALDRICH. My only disposition is to press the bill as rapidly as I can, consulting always the convenience of Senators. I understand perfectly the position that the Senator from Arkansas and other opponents of the bill take on this matter. It has been done in the Senate in the orderly disposition of business for many years. I did not make the suggestion at this time with any idea to inconvenience anyone, but that we might understand as far as possible just how the discussion would proceed.

Mr. STEWART. If it is agreeable, I should like to address the Senate on Thursday upon this bill.

Mr. JONES of Arkansas. I am satisfied that no Senator desires to go on to-day, and I would prefer that the matter should go over. The Senator from Nevada has just given notice that he would like to address the Senate on Thursday. Of course there will be no objection to that. I assure the Senator from Rhode Island that the Senators on this side will, as early as they can, be ready to discuss the bill, and that it will not be unnecessarily delayed.

Mr. ALDRICH. I ask that the bill may be laid aside temporarily, not losing its place as the unfinished business, so that the Senator from Alabama may proceed. Let it be laid aside for the day.

The PRESIDENT pro tempore. The Senator from Rhode Island asks that the unfinished business be temporarily laid aside and that the Senator from Alabama be allowed to proceed with his speech. Is there objection? The Chair hears none. Does the Senator ask that it be laid aside for the day?

Mr. ALDRICH. For the day.

The PRESIDENT pro tempore. For the day. Is there objection? The Chair hears none, and it is so ordered.

AMENDMENT OF DEPENDENT PENSION ACT.

After the conclusion of Mr. MORGAN's speech,

The PRESIDENT pro tempore. The Calendar under Rule IX is before the Senate.

Mr. GALLINGER. I trust the first bill on the Calendar may be taken up. It is a bill in which the Grand Army of the Republic is greatly interested. I should like to have it passed, if there be no objection, and I think there will not be any serious objection to it.

The PRESIDENT pro tempore. That is on the Calendar under Rule VIII?

Mr. GALLINGER. Yes, under Rule VIII.

The PRESIDENT pro tempore. The Senator from New Hampshire asks that the Calendar under Rule VIII may be proceeded with. Is there objection? The Chair hears none, and that order is made.

Mr. GALLINGER. I now ask the Senate to proceed with the consideration of the bill (S. 1477) in amendment of sections 2 and 3 of an act entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents," approved June 27, 1890.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The PRESIDENT pro tempore. This bill was considered by the Senate as in Committee of the Whole on a former day, and no amendments were recommended. The bill is still open to amendment.

Mr. COCKRELL. I should like to have an explanation of the bill, Mr. President.

Mr. GALLINGER. Perhaps I can state to the Senator briefly the purport of the amendments which this bill proposes to sections 2 and 3 of the act of June 27, 1890. They are two in number. They both have been not only recommended but urged by the Grand Army of the Republic, and the President of the United

States in his last annual message recommended that one of the amendments should be incorporated into that act; that is, where section 3 provides that a widow without means of support other than her daily labor shall become pensionable, the Pension Bureau has ruled—it is an arbitrary ruling—that if she has an income independent of her daily labor to an amount equal to the pension she would receive—that is, \$96 per year—she is not pensionable under this act. The Grand Army have asked that the act should be amended so that if the widow shall have an income not exceeding \$250 per year in addition to the proceeds of her daily labor, and the President has likewise so recommended in his recent message, she may be pensionable under the act, and the amendment to the act proposes that that change shall be made.

The other amendment urged by the Grand Army, which seems to be fair, is that in estimating disabilities the Pension Bureau shall aggregate minor disabilities so as to give a soldier under that act a pensionable status. The Commissioner of Pensions says that that is the practice of the Bureau at the present time. I have taken occasion in the report I made on this subject to say that if that be so, then there can be no objection to enacting it into law. The proposition is—the Senator from Wisconsin [Mr. SPOONER] asks me to repeat it—that in estimating the disability of a soldier, if he have three or four or five minor disabilities, they shall be aggregated; that is, if one disability entitles him to \$3 per month, another to \$2, and another to \$2, those three disabilities may be aggregated so as to give him the minimum under this law, which is \$6 per month.

It has been urged very earnestly and persistently by the members of the Grand Army and others that that was not the practice of the Bureau, but that the Bureau had decided over and over again that, unless a soldier had some one disability which entitled him to that rating under this act, he would not be granted a pension. As I said a moment ago, the Commissioner of Pensions says that the present practice of the Bureau is to aggregate these disabilities, and the proposed change in the law is to specifically state that that shall be done.

Mr. SPOONER. I ask the Senator from New Hampshire for information what has been the theory, the legal construction, upon which the Pension Commissioner has held that under the law a widow receiving \$96 a year independent of her pension should not be entitled to a pension?

Mr. GALLINGER. I do not know that there has been any legal construction on that point. In the investigation which was made on this subject I remember putting that question directly to the Commissioner of Pensions—that is to say, I propounded this interrogatory to him: "Is it not a fact that under the law as it stands to-day a widow who had any income, whether \$1, or \$100, or \$500, independent of the proceeds of her daily labor, is not pensionable under this act?" He replied that that would be the proper technical construction, but the Bureau, or more properly the Secretary of the Interior, in, I think, a spirit of liberal construction, had placed the amount at a sum equal to the pension the widow would receive. I will read the law on that point so that there may be no misunderstanding about it, and I think Senators will agree with me that a strict technical construction would exclude pensions to widows who had any income whatever outside of the proceeds of daily labor. Section 3 reads:

That if any officer or enlisted man who served ninety days or more in the Army or Navy of the United States during the late war of the rebellion, and who has had an honorable discharge, has died or shall hereafter die leaving a widow without other means of support than her daily labor—

Mr. President, it is my judgment as a layman that a strict technical construction of that language would exclude a widow who had any support whatever outside of her daily labor. I think the Pension Bureau and the Interior Department have dealt liberally with that class of pensioners or beneficiaries under the law in even granting that they might be pensionable if they had an income equivalent to the annual amount they would receive in pensions.

Mr. ALLEN. Suppose they were incapable of earning anything, what would be their status then?

Mr. GALLINGER. I think substantially the same. I have an impression that they would not be pensionable under the act as it stands to-day.

Mr. ALLEN. In that case a great majority of these widows—95 per cent of them—would be women so far advanced in life that they would be incapable of labor to any great extent outside of the discharge of the mere perfunctory duties of the household.

Mr. GALLINGER. Beyond a question, if the Senator will permit me, that hardship exists to-day as to a very large proportion of those widows.

Mr. ALLEN. Would it not be wise, under those circumstances, to strike out that clause, or at least to cover the feature of the case to which I have referred, and increase their allowances from \$250 to \$300 a year, according to the circumstances of each case?

Mr. GALLINGER. I beg the Senator not to embarrass the

consideration of this measure by changing its present purpose. The President of the United States, the Secretary of the Interior, the Assistant Secretary of the Interior, the Commissioner of Pensions, and the First Deputy Commissioner of Pensions have all agreed that the proper thing to do at the present time is to make those widows pensionable if they have not an income outside of their daily labor in excess of \$250 a year.

Mr. SPOONER. If the Senator will permit me, this bill is to correct a defect in the existing law, is it not?

Mr. GALLINGER. Precisely.

Mr. SPOONER. Not to correct any erroneous administration of the law by the Pension Bureau?

Mr. GALLINGER. Precisely. I will say to the Senator, further, that the Grand Army have agreed upon that amount, and a committee of the Grand Army have been here urging it upon the President, the Secretary of the Interior, and the Commissioner of Pensions.

Mr. ALLEN. I was just going to ask the Senator if the President, the Secretary of the Interior, and the Commissioner of Pensions have agreed upon this sum?

Mr. GALLINGER. I would say to the Senator that such is the fact.

Mr. ALLEN. The Senator will understand that I have no desire to embarrass the bill. I would gladly vote or do anything within my power to increase the amount, so as to place these unfortunate women in circumstances where they can be properly cared for. I do think it is almost inexcusable that a great Government like this should permit the remnants of the great army of thirty-five years ago to become practically mendicants and supplicants at the door of Congress for relief.

Respecting the other proposition, I want the Senator to understand, as he does understand, that I am not as fully informed about this matter as he is, and as I hope to be in the future; but it has been my understanding, since we voted some years ago that the minimum pension should be \$6 a month, that the Pension Bureau, where the rating did not under the former law entitle the applicants to \$6 a month, has dropped such pensioners out; that the four-dollar men and the two-dollar men have entirely disappeared from the pension rolls. That was not the purpose of the law.

Mr. GALLINGER. Mr. President—

Mr. ALLEN. Excuse me a moment. The view at that time presented to the Senate, I distinctly remember, was that as to persons who were drawing pensions at all the amount allowed them should be brought up to \$6 per month, and not that any person drawing under that sum should be discharged from the pension rolls.

Mr. GALLINGER. If the Senator will permit me, I certainly think he is misinformed on that point. The Pension Bureau beyond a question did increase the pensions of the two and four dollar a month pensioners to the amount of \$6 when we passed the statute to which reference has been made. That was my understanding.

Mr. TELLER. I should like to ask the Senator from Nebraska a question, as I perhaps did not understand him. Does the Senator mean to say that in the administration of this law if a soldier is found to be pensionable at the rate of \$2 he does not get anything at all?

Mr. ALLEN. I do not know whether that is true or not, but I have been told by several pensioners who had been drawing less than \$6 per month that when that law went into force they were dropped from the pension rolls.

Mr. TELLER. If that is so, it is a matter which I think Congress ought to take up, for we certainly did not intend anything of that kind. We intended to say that every soldier who was pensionable at any degree below \$6 should be put up to \$6 per month, and the discussion shows that.

Mr. ALLEN. Yes. I want to be understood. I do not mean to say that the statement is true; I do not know whether it is true or not, and therefore I do not want to put the Commissioner of Pensions in a wrong light; but that is the information I have had from several pensioners who had been drawing less than \$6 per month.

If the Senator from New Hampshire will permit me, I wish to ask one other question. I am seeking information upon this subject, and I stand sadly in need of it. It has been my understanding—I do not know where I got it from—that the rule in the Pension Office heretofore was that a pensioner would not be pensioned in any sum unless some one isolated disability entitled him to a specific rating; that is, you could not take one partial disability, another partial disability, and another partial disability, aggregate those disabilities, and permit him to draw a pension, but there must be some one single disability entitling him to a pension. I say, if that is true, it ought, in my judgment, to be corrected by this bill or some other bill as quickly as possible.

Mr. GALLINGER. In answer to the Senator from Nebraska [Mr. ALLEN], whom I, as chairman of the Committee on Pen-

sions, welcome to that committee, because I think he is going to be a very valuable addition to the committee—he has converted me from some of the error of my ways on pension legislation—in answer to the point he has made, I will say that he is mistaken, I feel sure, in the view that when we made \$6 the minimum pension those drawing less than that amount were dropped from the roll. They were simply advanced to the \$6 rate. There is no question about that.

I think, however, the question raised by the Senator from Colorado [Mr. TELLER] deserves a frank answer. I hope I am correct in the statement I will make, which is that the Pension Bureau has not construed our action to mean that a soldier having any disability—I mean now a new applicant for a pension—would be put on the roll at \$6 per month if the disability only amounted to that for which \$2 or \$4 had been provided; that he must now prove a disability which would have amounted to the \$6 rate; and the very point that this bill proposes is that these minor disabilities shall be aggregated so as to make a great many of those soldiers pensionable upon the aggregate of their disabilities, in place of their being rejected by the Pension Bureau, which contends that they should have one single disability to entitle them to that rating. The point the Senator raised I confess never occurred to me. I am not quite sure that we did mean that hereafter those who could prove a \$2 rating should receive \$6 a month pension. It would seem that was our purpose.

Mr. TELLER. Congress certainly did not intend to do such an atrocious thing as to say that a man who had a two-dollar disability should get nothing. That is very clear. We meant to say that if any soldier had a disability which would have theretofore entitled him to a two-dollar rating his pension should be raised to \$6.

Mr. CULLOM. That was certainly my understanding.

Mr. TELLER. We never thought of saying, "Here is a man entitled to a pension of \$2 a month, and because he is not entitled to more he can not have a pension of \$2." That is absurd.

Mr. CULLOM. It never occurred to me that we were knocking out a large number of pensioners.

Mr. TELLER. Oh, no. That legislation was meant to be in the interest of the soldiers. It may be—I am not going to criticize the Department—that they have properly construed the law; but if they have, we ought to change it, and change it instantly. I wish the chairman of the Committee on Pensions would ascertain about that, so that if necessary we may change it, because we have a contract with every soldier when he enters the Army—for it is really a part of his contract—that if a certain disability arises he shall have a corresponding pension. We can not take that away from him, and if we have done it inadvertently we should retrace our steps very rapidly.

Mr. ALLEN. I remember very distinctly when that amendment was under consideration. It was an amendment to an appropriation bill. When it was before the Senate it was distinctly understood that \$6 per month was to be the minimum pension.

Mr. CULLOM. I so understood.

Mr. ALLEN. It was universally conceded that all smaller pensions would be brought to that amount.

Mr. TELLER. That is, if a man had any pensionable disability whatever, his pension should not be less than \$6.

Mr. CULLOM. That certainly was my understanding.

Mr. TELLER. I recall it very well, Mr. President. We have not attempted to do so wicked a thing as that; and if we have done it, we have done it inadvertently. I do not say that the law can not be construed in that way; I do not want to make any reflection upon an officer who executes the law as he understands it, because that is his business; but if there is a fault, we should correct it.

Mr. TILLMAN. Will the Senator from New Hampshire allow me to ask him a question?

Mr. GALLINGER. With pleasure.

Mr. TILLMAN. I am new to pension legislation, because there has been very little of it passed since I have been a member of this body, and therefore I do not understand the words some Senators use. I understand the general meaning of "disability," but I do not understand the technical meaning and application of it. Here, for instance, Senators speak of "a two-dollar disability, a four-dollar disability, and a six-dollar disability."

I should like to have a little light as to how these disabilities are graded, as to what constitutes a two, a four, or a six dollar disability, and so on.

Mr. GALLINGER. I will say to the Senator, in reply, that that is largely an arbitrary matter on the part of the Pension Bureau. Some of the minor ratings are fixed by law.

Mr. TILLMAN. For instance, what would be the rate of pension allowed for the loss of an arm?

Mr. GALLINGER. In the first place the applicant is rated by the medical board under existing law, but that rating is not binding upon the medical officers of the Pension Bureau. They may

ignore the rating entirely. They may and very properly do ignore it in some cases, because the ratings of the medical boards are sometimes absurd. I myself saw a rating made by a local medical board which gave a soldier, under the act of June 27, 1890, \$144 a month, and yet the pension under the law is only \$12 a month. That was an absurd rating, and of course the officers of the Pension Bureau put it aside as being unworthy of consideration. Minor disabilities, such as the loss of a finger, are pensionable at the rate of \$2, according to my recollection, and the rates of pension for certain other disabilities minor in their nature are fixed by law.

Now, it has been asserted and contended with great earnestness that the Bureau in fixing a rating has ignored these minor disabilities—that is, so far as compounding them is concerned—and insisted that the soldier should have one single disability that should entitle him to a rating equivalent to the minimum under the law, which is \$6 a month.

Mr. TILLMAN. I have in my mind (and it was because of that instance that I have participated in this debate at all) the case of a soldier of the Mexican war who lost an arm in one of the battles—I think Chertusco or Chapultepec—and who drew a pension before the war from the time when Mexican war veterans were allowed pensions of some amount, I do not know what. When the war broke out of course the pension dropped, and he did not get on the pension roll again until the general law was passed under which Mexican war veterans were pensioned. He has applied for an increase and has been turned down. His pension today is \$8 a month. He got no back pension for the time between the beginning of the war and the time when the pension was renewed, and the Bureau has refused to allow him an increase.

Mr. TELLER. That was a specific pension for the loss of an arm.

Mr. TILLMAN. I want to know what that pension is. You all talk about disability being rated so much, a finger so much, a hand so much, and so forth. I want to know what an arm is in the case of a man who is 72 years of age.

Mr. TELLER. I will say to the Senator that that depends upon where the arm is off, whether above the elbow or below, but the rate is fixed by statute. I do not see why the soldier is not getting not \$8, but the specific provision of the statute. I do not understand how that can be.

Mr. TILLMAN. He is just getting the general run of pension for no disability whatever.

Mr. TELLER. Was he in the Confederate army?

Mr. TILLMAN. No; he did not serve in the Confederate army, I think, because he lost an arm. He may have temporarily been in the Confederate army in some quartermaster's position or something like that. I am not certain on those points. I am getting ready to introduce a bill here to give him an increase of pension by special act, and I wanted to find out some of the methods that govern in these cases.

Mr. GALLINGER. Mr. President, there is a schedule of rates which I thought I had in my desk, but I do not place my hand on it just now. I will say to the Senator that I think that for the loss of an arm at the shoulder the pension is something like \$35 a month. I am not quite sure as to that. I do not carry those figures in my mind. I wish I might. I can not quite understand, unless there is some special reason, some overwhelming reason—

Mr. TILLMAN. I have the report of the Pension Bureau on this man's case, in which I am informed that his application for increase was turned down because his circumstances did not seem to imply that he was in the poorhouse, or something like that, and he was not considered as worthy of the Government's bounty.

Mr. GALLINGER. Of course we can not discuss the question of the loss of this man's arm. It seems to me incredible that if he lost an arm in the service he is not pensioned for that disability, which would be more than \$8 a month. Under the Mexican war pension act, which is a service-pension act, the ex-soldiers are pensioned at \$8 a month.

Mr. TILLMAN. Without regard to any special disability.

Mr. GALLINGER. Without regard absolutely to any disability at all. That act was subsequently amended so as to give them \$12 a month if they could show that they were in extreme poverty or physical distress. So under the Mexican war pension act the maximum is \$12 a month, but the original law granted a service pension of \$8 a month. I think I am correct. The Senator from Missouri [Mr. COCKRELL] will remember.

Mr. COCKRELL. I was just going to suggest that the gentleman to whom the Senator from South Carolina refers is evidently pensioned under the general act of 1887, which grants \$8 a month.

Mr. GALLINGER. A service pension.

Mr. COCKRELL. It grants \$8 a month to all soldiers of the Mexican war, regardless of their disabilities. It is what we call a service pension, and not a disability pension. When the Mexican war was in progress, or very soon afterwards, a law was enacted granting pensions to the soldiers of the Mexican war for disabilities incurred in the service in the line of duty.

Mr. TILLMAN. This man lost an arm in battle.

Mr. COCKRELL. That is entirely distinct from the other class of pensions. Take the law of 1890. There a certain pension is granted, but the maximum is \$12 a month, and it is immaterial whether the disabilities were contracted in the service in the line of duty or not, so that they were not due to vicious habits. But under the law of July 14, 1862, pensions are granted for disabilities contracted in the service in the line of duty, and there the limit is \$72, according to the degree of disability incurred in the service in the line of duty.

Evidently your friend was pensioned under the act of 1887, giving a pension simply for service, and the maximum there is \$8. In 1893, as the Senator from New Hampshire has said, it was increased to a maximum of \$12 where they were dependent and unable to do any manual labor. There is where they have refused him an increase. Under that law they could not give it. It makes no difference what the physical condition was, they could not give over \$12 a month under the law of June 27, 1890. It makes no difference what the physical condition of a man may be, they can not give him over \$12 a month under that act.

Mr. TILLMAN. Am I to understand from the Senator from Missouri that there has been a discrimination against Mexican war veterans?

Mr. COCKRELL. Not at all.

Mr. TILLMAN. How is it that a Union soldier who fought in the civil war gets discriminating pensions? A man is pensioned by reason of special physical disabilities, for the loss of limbs, or something of that sort, whereas a Mexican war veteran in exactly the same condition, who fought for the flag, is discriminated against, and not even allowed an increase when he applies for it, merely because he is not in the poorhouse.

Mr. COCKRELL. There are two classes of pensions which have been recognized in the Government. One is a pension for service—a service pension.

Mr. TILLMAN. This man is entitled to both. He is entitled to a pension for service and to a pension for disability, too.

Mr. COCKRELL. There is always a maximum for that; and it is immaterial in a great many cases whether the disabilities, if any, originated in the service in the line of duty or not. The Mexican war pension act of 1887 grants a pension of \$8 for service for a certain length of time. It does not make any difference as to what his condition was. He might have been worth a million dollars. I believe the first pension granted under the law of 1887 was granted to a United States Senator.

Mr. TILLMAN. Let me ask the Senator right there, if he will permit me—

Mr. COCKRELL. It made no difference what the disability was, you could not increase the pension beyond \$8 a month until the law of 1893 was passed, and that then gave \$12. June 27, 1890, what is called the dependent-pension bill was passed in regard to the Union soldiers, and that granted a pension for all disabilities not due to vicious habits to a maximum of \$12, rating the pensions, I believe, at that time from about \$6 or \$4. Now, that is the maximum under that law. Under the dependent-pension law of June 27, 1890, no matter what the disabilities were, they can not go over \$12 a month. But now under the law of July 14, 1862, pensions are granted to ex-soldiers for disabilities contracted in the service in the line of duty. The maximum limit is \$72 for a private soldier who is totally disabled for all manual labor, and so utterly helpless that he must have the personal presence and attendance of a helper all the time. He must require that all the time to get the highest rate.

Now, then, under that law there are allowances for certain characters of disabilities. There are allowances for the loss of a hand and the loss of a foot and the loss of an arm below the elbow or above it. I sent for the pension laws for the purpose of explaining that point. Unless a pension is granted for disabilities contracted in the service you can not go above the maximum allowed.

Mr. TILLMAN. What I am after, if the Senator will permit me, is this: I want to find out whether there exists a discrimination in favor of soldiers who fought in the civil war which the soldiers who fought in the Mexican war do not enjoy?

Mr. COCKRELL. There is a little discrimination, a very slight discrimination, in the language used in the law of June 27, 1890, and in the act of 1893, which was put on here in the Senate. The amendment was moved by the then Senator from Wisconsin, Mr. Vilas, increasing the pension to \$12. There is very little discrimination. I am not certain—it has been such a long while since I looked at it—whether the law granting to soldiers of the Mexican war pensions for disabilities contracted in the service in the line of duty ever at any time made provision for an increase to the extent that the law of July 14, 1862, and subsequent laws have made. I have not compared it.

Mr. TILLMAN. If the laws governing our pensions are so old that Senators who have been here as long as the Senator from Missouri and the Senator from New Hampshire can not tell us exactly the pensionable status of a man, I think it is time we

should have some revision and understanding as to just what claims a Mexican veteran has.

Mr. GALLINGER. Now, Mr. President—

Mr. TILLMAN. I should like to ask the Senator from Missouri, or the Senator from New Hampshire either, to tell me if he knows any case in which a Union veteran who is pensionable by special provision as to certain disabilities has ever had his financial status inquired into and has had his application for an increase of pension turned down by reason of the fact that he might have had an income from other sources?

Mr. GALLINGER. I do not understand that that is the rule. It is a very rare circumstance for us to pass a special act for a man who has property sufficient to take care of himself. Under the act of June 27, 1890, especially the part applying to widows, that is absolutely enforced in all cases.

I think, Mr. President, if the Senator from Missouri will permit me, that there is no discrimination against the soldiers who fought in the war with Mexico. On the contrary, they have an advantage over the soldiers of the so-called civil war.

Mr. TILLMAN. I will accept the Senator's amendment; I will say war of the rebellion, if my words give any offense.

Mr. GALLINGER. I have not referred to that at all. I do not deal in slurs or innuendos in debate, and it is immaterial to me what that war is called. I usually refer to it as the civil war. I have done so in my reports, and I have no disposition to offend anybody.

I was about to say, Mr. President, that the Mexican war soldiers were granted a service pension, the very thing the soldiers of the late civil war are contending that we ought to grant them; but we have not got to it yet. I believe that a service-pension bill was passed applying to soldiers of the Revolution—I think so.

Mr. TELLER. Yes, it was.

Mr. GALLINGER. Such was the fact, the Senator from Colorado says, and a service-pension bill was passed applying to the soldiers who participated in the war with Mexico. Our friends who served from 1861 to 1865 are now demanding very strenuously, and have been for a great many years, that the time has come to pass a service-pension bill putting all the remaining soldiers of the late civil war on the pension rolls who are not there now. I have not yet come to the conclusion that that time has arrived, and for that reason I have not favored it. I feel very sure, Mr. President, that there are some peculiarities connected with the case the Senator from South Carolina referred to. If he lost—

Mr. TILLMAN. If the Senator will permit me right there, the peculiarity consists in this, that here is a man who was on the pension rolls prior to 1860 because he had lost an arm in battle. Then he was dropped by reason of the Confederate war coming on. He did not get on the pension rolls until some time about ten or eleven years ago. I do not recollect the exact year, but it was after the passage of the Mexican service-pension act. He has tried to get a back pension covering the period between the time when his pension stopped and the time when it recommenced, and he has failed. He has tried to get an increase and has failed. I simply ask, as you are amending the pension laws, that the discrimination, if any exists, against Mexican war veterans shall be obliterated from the statute books.

Mr. GALLINGER. Mr. President, I feel sure that no such discrimination exists. The Senator has stated the case, it seems to me, a little more specifically now than he did in the first place. As I now understand him, this soldier who fought against Mexico lost an arm and was pensioned for that disability.

Mr. TILLMAN. Yes.

Mr. GALLINGER. He afterwards participated in the civil war against the Union and his pension ceased.

Mr. TILLMAN. He could not have participated much, because the loss of his arm did not allow him to act in any military capacity. He does not pretend to say that he was not in sympathy with the Confederacy and would have fought if he had had his arm. They sent him some statement from the Pension Bureau to sign, and he simply said, "I will not tell a lie to get all the money up there." I have his letter stating that. But he has asked for an increase, and they have turned him down on the ground that he is not in the poorhouse or that his income is sufficient for him and he does not need an increase of pension.

I feel that if he had been a Union soldier he would have got his increase; and as he did fight for the flag once, although he sympathized in the war on it from 1861 to 1865, I think it is time for us to stop the discrimination. He has got but a few years to live, anyway. He is 72 now.

Mr. GALLINGER. I think I understand—

Mr. TILLMAN. And I am going to appeal to the Senator. I am going to bring in a special bill. I can not get a general law unless he will agree to amend the general law, now that he is proposing to amend it. If he will look into the case I have presented and provide some little amendment that will cover these points, so as to allow the Bureau to take them up rather than have special

bills passed, I will be satisfied. But I contend that it is time for the discriminations that existed, if any do exist, against Mexican war veterans to be obliterated from the statute books, and that the few remaining veterans should have the same opportunity to draw Uncle Sam's money and suck the sweet milk of the Treasury as any other ex-soldiers have.

Mr. GALLINGER. The Senator knows he has never come to my desk—

Mr. TILLMAN. I am not complaining of the Senator. I trust the Senator will allow me to certify, or rather to bear testimony, to the willingness he has always shown to assist me in any legitimate object I have had before me. There are so few people down our way who ever ask for a pension or for an increase of pension that I have had business before his committee but twice in the four years I have been here.

Mr. GALLINGER. It has been a delight to me to have the Senator make a request, and I always respond with alacrity, as I think.

Mr. TILLMAN. I am sure you will in this case.

Mr. GALLINGER. I will, if the case warrants it. This man evidently forfeited his pension under the law. He subsequently, I take it, applied for a pension under the act pensioning the Mexican war soldiers, the so-called service act, which granted \$8 a month, and he has now applied, under the amended pension act, for a pension of \$12 a month, which specifies that an ex-soldier shall not be entitled to it unless he is unable—

Mr. TILLMAN. On the question of special disabilities to which the Senator has drawn attention—

The PRESIDENT pro tempore. Does the Senator from New Hampshire yield to the Senator from South Carolina? The Chair calls the attention of Senators to the rule.

Mr. TILLMAN. I beg the Chair's pardon that I did not address the Chair first. I sometimes am not as observant of the rules as I ought to be.

Mr. GALLINGER. I am always willing to yield cheerfully to the Senator from South Carolina, but I should like to complete that sentence, because it will not read well unless I do so.

Mr. TILLMAN. Certainly.

Mr. GALLINGER. I was about to say, if I can gather the thread of the narrative, that doubtless this ex-soldier applied under the amended Mexican war pension act for an increase to \$12 a month, and his case did not meet the requirements of the amended act, which I think the Senator from Missouri has in his hands, and which I would be very glad to have him read for the information of the Senate.

Mr. COCKRELL. It is as follows:

CHAP. 18.—An act granting increase of pension to soldiers of the Mexican war in certain cases.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to increase the pension of every pensioner who is now on the rolls at \$8 per month on account of services in the Mexican war, and who is wholly disabled for manual labor, and is in such destitute circumstances that \$8 per month are insufficient to provide him the necessities of life, to \$12 per month. Approved, January 5, 1893.

Mr. TILLMAN. Then, Mr. President, with the permission of the Senator from New Hampshire, I will recur to the discrimination which must exist, because here is a one-armed soldier, and under your general provisions in regard to Union soldiers that man must have been entitled to more than this service pension of \$8 a month, which is given to a man who has both arms and is simply getting it because he had gone under the flag to fight. As the question of pensions was being discussed, I wanted to call attention to this matter and find out if a discrimination exists, and to ask the chairman of the Committee on Pensions to amend the law while he is amending it so as to do away with it.

Mr. BATE. I should like to know of the Senator from New Hampshire if there is any distinction made in the pension law equivalent to that which is made against the Mexican war soldiers? Does the pauper act just read by the Senator from Missouri apply to any Federal soldier who gets a pension of \$6 a month? That is the direct point.

Mr. GALLINGER. Did the Senator propound his inquiry to me?

Mr. BATE. Yes, sir.

Mr. GALLINGER. I would say that in the nature of things it could not well be so, for the reason that the Mexican war pension act is a service-pension act, and we have no other service-pension act on the statute book, unless it be the one that applies to soldiers of the Revolutionary war.

Mr. BATE. He gets only \$8 a month, instead of \$12. Why should this pauper act apply to the widow of the Mexican war soldier any more than to a Federal soldier's widow? That is the way it stands now. A man has to go and humble himself and say he is a pauper and utterly dependent before he can get an increase of pension from the Government. Is there any instance known under the pension laws where a Federal pensioner has to do that? Is not that a marked distinction between the Federal pension law and

the Mexican war pension law, and does the fact of its being a service-pension law justify that?

Mr. GALLINGER. Mr. President, I am not at all responsible, of course, for the passage of the Mexican war pension law, because I was not in public service at the time it was enacted, and hence I can not speak, perhaps, with definiteness about it, though I might be expected to do so. I can not conceive that in legislating Congress had the least intention of making any discrimination in the act of June 27, 1890, which is not quite a service pension, but which has been called a dependent pension law, and which applies to the soldiers and widows of soldiers of the late civil war. They are required to conform substantially to the same requirements that the Mexican war soldiers are required to conform to under the Mexican war pension law.

It has been charged in a great many places that we have humiliated and insulted the Union soldier by passing that act and making him appear as a pauper in his appeals to this great and rich Government, but I think Congress has meant to be generous always. I think Congress was generous when it passed the service-pension act applying to the Mexican war soldiers. Perhaps the time has come to increase the rate. I am not going to argue that at all. If the proposition is made, I certainly, as a member of this body, will give it sympathetic consideration. It is argued in some quarters that the rate ought to be increased; that the Mexican war pensioners are old, and that the act ought to be amended so as to give them more than \$8 a month. But that can only be done by an amendment to that statute. It could not be done to-day.

Mr. BATE. Perhaps the Senator would likewise be in favor of the repeal of that objectionable feature in that law. I know personally several who were Mexican war soldiers; there are two men in the Senate who were Mexican war soldiers and who are importuned constantly by friends making statements of the kind I have suggested, that they do not want to be mortified by pleading the pauper act in order to get an increase of pension. They think they are entitled to it or that they are not. I hope the Senator from New Hampshire will favor something that will repeal that part of the law which is objectionable.

Mr. GALLINGER. I think it could only be repealed by increasing the rate from \$8 to \$12 to all Mexican war soldiers. That, of course, would obliterate the feature of the law which does—

Mr. BATE. There are only a few thousand of them left. There are less than 2,000 or 3,000 of the old soldiers, and there are some widows of the old soldiers. The act itself, if I remember, was passed on the 3d of March, 1887, about twelve years ago. I think this remedy ought to be applied.

Mr. GALLINGER. I think if the proposition to increase the pension of the Mexican war soldiers from \$8 to \$12 per month should be proposed it might receive the favorable consideration of Congress. I do not know how that may be. Personally, I should be strongly inclined to vote for such an amendment. That would get rid of the objectionable feature to which the Senator from Tennessee calls attention. I certainly do not believe that Congress has ever intended to discriminate against the soldiers of the Mexican war in its legislation for the soldiers of the civil war, and certainly I should not be in favor of any such discrimination.

Mr. BATE. It practically applies, I will say to the Senator—The PRESIDENT pro tempore. Does the Senator from New Hampshire yield to the Senator from Tennessee?

Mr. GALLINGER. Always.

Mr. BATE. Just a word. I say it practically applies to a great many worthy persons who are needy, and I would like to see it done.

Mr. TILLMAN. Mr. President, if the Senator from New Hampshire will excuse me—I am not at all trying to obstruct him in anything—but will he state again what the bill that he has in his hand proposes, or what he is trying to do?

Mr. GALLINGER. I am trying to do two things, and I hope I shall succeed before I get through. The Grand Army of the Republic have asked for two changes in the act of June 27, 1890, which has frequently been denominated the dependent-pension act. They have asked that a widow who is in possession of an income not exceeding \$250 in addition to the proceeds of her daily labor, whatever that may be, may become pensionable under this proposed act. They have asked that in making a rating for an ex-soldier under this proposed act minor disabilities shall be aggregated; that if the soldier has lost a finger, that shall be taken into account; that if he has incurred a disability which perhaps affects his chest, it shall be taken into account, and that a rating shall be made upon his combined disabilities. Of course in no case could the pension exceed \$12 a month, the maximum allowed under the law. As I stated before, the President of the United States in his last message recommended the matter regarding the widows, and thought it would be a proper thing for us to amend the law in that particular.

Now, Mr. President, that is all the amendments to the act con-

template as the bill is now before the Senate. I hope it will be allowed to pass, and that if there are wrongs in pension legislation we will take them up at some future time upon the suggestion of Senators or upon amendments offered here or bills presented, and that the defects may be cured.

Mr. TILLMAN. Is the bill subject to amendment now?

Mr. GALLINGER. It is.

Mr. TILLMAN. Would the Senator mind incorporating an amendment in it by which the discrimination in favor of the Federal soldiers as against the Mexican war soldiers would be removed? I do not believe any discrimination against the Mexican war soldiers was intended, but still there is a discrimination undoubtedly in regard to these disabilities. Would the Senator mind incorporating a provision that the general practice or law now in regard to disabilities shall apply to all soldiers of the Mexican war as well as to Federal or Union soldiers?

Mr. GALLINGER. I think an amendment of that kind would not be germane to this bill. This bill is dealing with one particular statute, and that statute is the act of June 27, 1890. It has no reference to the Mexican war, and it has reference only to a certain class of beneficiaries.

Mr. TILLMAN. It deals with disabilities, however.

Mr. GALLINGER. Well, if the Senator wishes to offer an amendment, I have no objection to his doing it, but I should not know how to amend this bill in the direction the Senator from South Carolina suggests.

Mr. ALLEN. Will the Senator from New Hampshire permit me?

Mr. GALLINGER. Certainly.

Mr. ALLEN. Mr. President, I am in hearty sympathy with the purpose of the Senator from South Carolina, but it is going to lead to a pretty general discussion and to quite a radical amendment of the pending bill.

The case referred to by the Senator from South Carolina is not an isolated case by any means. I can recall two cases in my own State of Union soldiers, old men, who have been unable to get out of their chairs for ten or twelve years, unable to get their hands to their mouths, unable to move except as they are assisted by some other person; those men have good records as soldiers; there is not a spot or blemish upon their service, and yet they are not getting to exceed \$8 a month. They have appealed again and again in vain to the Pension Office for an increase of their pension. They are, in consequence of their unfortunate condition, practically mendicants and are supported largely at the public expense.

Mr. COCKRELL. They are pensioned under what law?

Mr. ALLEN. I do not know what law they are pensioned under. I can not state as to that. These are two cases that have come under my personal observation. I have been able to see those men myself; I have talked with them and observed their conditions. All over the country there are cases of that kind.

One of the great faults of the pension system of the United States is its eternal delay. It is like the case of *Jarndyce vs. Jarndyce*, that perpetually and perennially rolls its slow length along until every litigant and every counsel and every witness is dead.

I would not speak in harsh terms of the Pension Office. I do not want to do that, and I shall not do it; but, Mr. President, is there not clerical force enough in the Pension Office, or can it not be put there, to take these cases up speedily and determine whether they shall be allowed or not, and not permit a great army of dependent men or needy men and needy women and children to die of starvation and of delay? If it is the policy of the Government under this or any other Administration to keep the pension roll at its present figure, let the Administration say so. Do not constantly hold out hope and expectation to these crippled, dependent people that they will receive pensions when there is no purpose to pension them. Let it be said frankly and honestly to them and honestly to the country that they have received all the Government will pay them, and that it is useless to appeal to the Government for any further assistance. I believe a government whose citizens voluntarily come to its rescue in the hour of peril ought to pay them when they are crippled or their health is injured in consequence of their service.

I was thinking a moment ago, when the distinguished Senator from New Hampshire referred to a finger being worth \$2, how much a man's whole body would be worth estimated on that basis of calculation. When men left home and went in defense of the flag of their country and its institutions, as these men did in the Mexican war and in other wars, if their health was impaired or if their bodies were wracked with disease or if they lost limbs or were injured, let the Government make them good and whole as far as possible. They are entitled to nothing less; they are entitled to that.

But, Mr. President, above all and beyond all let the Government move speedily in this matter before these people are extinct. It is the delay, the endless, eternal delay, that is the crying evil in the administration of the Pension Bureau of the United States.

Mr. TELLER. Mr. President, I want to say a word, that the

Senator from South Carolina may understand the effect of this bill. It seems to me it is a very meritorious bill. I am anxious to see it passed, and I do not mean to talk long enough to prevent its speedy passage.

We have three classes of pensioners. We have those who get their pension because they are entitled under the law existing when they went into the Army, and they get it because they show disabilities incurred in the service. That is one class. Then some years ago there was an appeal for a service pension for the Mexican war veterans. The bill had been before Congress a good many years.

Mr. TILLMAN. Will the Senator from Colorado allow me to interrupt him there?

Mr. TELLER. I ask the Senator to let me make my statement. Then I shall be glad to hear him.

The PRESIDENT pro tempore. The Senator from Colorado declines to yield.

Mr. TELLER. I want to make a statement so that it may be consecutive. I shall be glad to hear the Senator when I get through.

Congress then enacted a service-pension law for the Mexican war veterans. Now, that fixed a particular sum, not dependent upon the disabilities of the ex-soldier, and it was nowise under the control of the Department, either to raise or to lower it, no matter what his disabilities might be.

Then, later, there was a great effort—I do not mean here, but outside—for a service pension for the ex-soldiers of the civil war. They came here with a great many petitions, and there was an appeal made. It was said that many of them were in distress, and that was undoubtedly true. Congress, not being willing to grant a general service pension to all the survivors of that war, provided that such of them as were dependent upon their own labor and had disabilities, whether incurred in the war or not, should have a pension. That we have usually, in speaking, called the dependent act of 1890. If I recollect the year aright.

Mr. COCKRELL. The act of June 27, 1890.

Mr. TELLER. The act of June 27, 1890. Now, for the dependents Congress fixed a positive and stated sum, and the Department can not vary it at all; that is, they can not raise it. If the disabilities are not sufficient to come up to \$8, they have claimed the right, of course, to fix a lower rate; but they can not make it \$50 or \$60 or \$72, as can be done for complete disability under the law.

Mr. GALLINGER. Twelve dollars a month is the maximum.

Mr. TELLER. Twelve dollars a month is now the maximum; and although he may have incurred these disabilities in the Army, he can get but \$12 as a dependent. Now, then, the Mexican war soldier is in the same fix precisely.

Mr. President, I think the criticisms, perhaps, that are made here on the Department are somewhat unjust, because these questions are pretty difficult to deal with. There is a vast army of men applying for pensions, and, in my judgment, the most of them ought to have pensions. I think perhaps the day is not far distant when we shall say to every man who served in the civil war that he shall have a service pension. We are, perhaps, not ready, as the Senator from New Hampshire says, just yet to do it; but that time will ultimately come.

But, as far as I am concerned, I should like to say that I am not alarmed if the Interior Department will allow men to get on the pension roll who do not belong there. I know something from actual experience of the way the work is done in the Department. It was my duty at one time to consider the charges frequently made in this Chamber and other places that the pension roll was stuffed with people who had no right there. After the most careful and exhaustive effort, with all the appliances that the Department could use, without any limit or stint anywhere, we found that there was not one man in two hundred who was there that there was even a suspicion of. I know from my own observation and from the letters I have received for many years and the men with whom I have come in personal contact that there are infinitely more men off the roll who ought to be on than there are men on who ought to be off.

Mr. President, neither am I one of those who are frightened at the fact that we are paying \$140,000,000 a year. We had the greatest war of modern times. We had the greatest army of any modern time, and we had the greatest battles. We talk about the battles in South Africa and in other places. Why, Mr. President, look at those who went down in one single engagement. What would be a great army in almost any other part of the world were left dead on the field.

There was no army in the world that ever gave four years of such service as our men gave. There was no other army in the world that ever met such opponents as our men met. There was no army in modern times where the cold steel of the bayonet was used as it was used in the late civil war.

Can men go through those things without lowering their vitality? And when old age comes on them, when the men who ought to be stalwart and strong because they did their service to their country find themselves weak and aged, with a country the

richest on the face of the earth, with more untouched measures for taxation and revenue than any other people in the world, with a people that is spending more money than any other people in the world, we ought not to be afraid of doing what we contracted to do when we took these men into our Army.

It is true, Mr. President, you paid a great sum of money, \$2,500,000,000, in pensions. You paid it to maintain the honor and the decent character of the nation. You paid \$500,000,000 more, or nearly that, in the way of interest to maintain your credit. You paid nearly \$500,000,000 more to the public creditors in the way of interest than you have paid to the soldiers who made it possible for these men to get their interest and ultimately their principal. From every section of the country whence comes a complaint, so far as I am concerned, I am prepared to treat it with contempt.

The American people contracted to take care of these men and to compensate them for the disabilities that everybody knew they must incur in a great war of that kind. We will continue to pay it, and no political party can afford for a moment to stand hesitating to do what is justice to those men. Whenever a soldier, I do not care whether he can prove that he incurred his disabilities in the Army or not, is suffering from disabilities, he is entitled to a pension from this great Government of ours.

Mr. President, I believe that there is a disposition in some sections of the country to restrict and to complain that we are putting upon the pension rolls too many men. I believe the time will come when every man who was in the Army who survives to that period will be either on the pension roll or have a service pension, and justice requires that that should be done.

Mr. TILLMAN. Mr. President, I wish to disclaim absolutely any desire to criticize the Pension Bureau. I have found nothing but courtesy and prompt replies to any inquiries I have made in that Department. I have been led into this debate by reason of the word "disability," which has been brought here to explain why certain legislation is requested. I have endeavored to discover whether there is any discrimination against the Mexican war veteran, or, to change it, whether there is discrimination in favor of the Union veteran and the others are left out. It seems that there is.

The Senator from Colorado says that there are three classes of pensions, if I understood him correctly.

Mr. TELLER. Yes.

Mr. TILLMAN. There are pensions for disabilities, pensions for service simply, and dependent pensions. Now, this gentleman in whom I am interested is certainly suffering a disability, because he lost his arm in battle. He is receiving a service pension and has been denied an increase under the dependent pension rules, because we seem to have legislation here which has provided for pensioning the veterans of the different wars by special acts and there is no general act applying to all classes.

In other words, if there are dependent pensioners under the Mexican war, as I know of one instance, they can not get the provisions applied to their cases that apply to the dependents who fought in the Union Army in the recent civil war. I recall the case of a man in my little town, a Mexican war veteran, who was a paralytic, who was practically dependent on the charity of his neighbors because his pension could not go beyond \$12 a month, and those good people nursed him, they clothed him, the physicians attended to him, they buried him, and they never got anything for it except the \$12 a month; and it did not cover one-fourth of the expenses per month that that man was to that family and to the neighbors around him.

Now, Mr. President, all I ask is that the chairman of the Committee on Pensions and others here who seem interested in this matter shall remove this discrimination. I do not charge any Senator here with any desire to discriminate, but it has been rather a matter of neglect because nobody has taken it up. I ask that we shall have a general provision in regard to dependent pensions which will apply to all ex-soldiers who are pensionable at all, and that disability pensions shall apply to all ex-soldiers without regard to the war in which they served. That is all I am trying to secure, so that this Government will not by its legislation discriminate against Mexican war veterans, without intending to do it, simply because nobody has thought proper to put it on the statute books that such pensioners shall receive the same treatment and have their pensions regulated by the same laws which govern those who fought in the civil war.

Mr. TELLER. I understand that the Mexican war veteran who received his disabilities in the war can get a pension just as a man who received his disabilities in the late war, although I may be wrong on that point. It can only be upon the theory that he has done something which forfeited that right, for the statute certainly gave it to him when he went into the Mexican war.

Mr. TILLMAN. I will, then, simply ask the Senator this question: If by reason of any sympathy with the rebellion, if you prefer that word—if by reason of any service in the rebellion, if you prefer that—can a man who fought for the flag in the Mexican war now come forward and get the same treatment that others get?

Mr. TELLER. If the Senator will allow me, I will say that as far as I am concerned I would not make any discrimination. I do not care now at this late hour whether a man served in the war of the rebellion against us or not; if he served in the Mexican war and was disabled in that war, I would still give him a pension.

Mr. TILLMAN. This gentleman did not serve in that war. He was not disabled in that war. He was disabled in the Mexican war, and because of his sympathies, because he would not sign the required papers by which he disclaimed any sympathy for the Confederacy, he has been debarred. But I say it is not right or proper or just or decent that he should be so debarred.

Mr. TELLER. I said if he served in the Mexican war he was entitled to it.

Mr. COCKRELL. Mr. President, I have an amendment to offer.

Mr. GALLINGER. I have one likewise, Mr. President, but before the Senator offers his amendment I wish to make a single observation.

Mr. COCKRELL. I think the Senator will accept my amendment.

Mr. GALLINGER. The Senator from South Carolina—if the Senator will give me his kind attention—raised the question as to the rate for certain disabilities. I could not answer him offhand, but I have here a table which I prepared some years ago. Amputation at or above elbow or knee is \$36; that is, the loss of an arm or leg; but amputation at shoulder or hip joint, or so near joint as to prevent use of artificial limb, is \$45. This is a table of rates fixed by law for major disabilities and a table of rates fixed by the Commissioner of Pensions for certain disabilities not specified by law. For the information of the Senate I ask that the table shall be incorporated as a part of my remarks, so that Senators can refer to it when they want to get information on the subject. The table is as follows:

Table of rates fixed by law for officers for disabilities which would entitle a private or other enlisted man to \$3.

ARMY.	
	Per month.
Lieutenant-colonel and all officers of higher rank	\$30
Major, surgeon, and paymaster	25
Captain, provost-marshal, and chaplain	20
First lieutenant, assistant surgeon, deputy provost-marshal, and quartermaster	17
Second lieutenant and enrolling officer	15
All enlisted men	8

NAVY AND MARINE CORPS.	
Captain and all officers of higher rank, commander, lieutenant commanding, and master commanding, surgeon, paymaster, and chief engineer ranking with commander by law, lieutenant-colonel, and all of higher rank in Marine Corps	30
Lieutenant, passed assistant surgeon, surgeon, paymaster, and chief engineer ranking with lieutenant by law, and major in Marine Corps	25
Master, professor of mathematics, assistant surgeon, paymaster, and chaplain, and captain in Marine Corps	20
First lieutenant in Marine Corps	17
First assistant engineer, ensign, and pilot, and second lieutenant in Marine Corps	15
Cadet midshipmen, passed midshipmen, midshipmen, clerks of admirals, of paymasters, and of officers commanding vessels, second and third assistant engineers, master's mate, and warrant officers	10
All enlisted men except warrant officers	8

RATES AND DISABILITIES SPECIFIED BY LAW.	
Loss of both hands	100
Total disability in both hands	72
Loss of both feet	72
Loss of both eyes	72
Loss of an eye, the other lost before enlistment	72
Regular aid and attendance (first grade)	72
Frequent aid and attendance	50
Amputation at shoulder or hip joint, or so near joint as to prevent use of artificial limb	45
Total disability of arm or leg	36
Total disability in one hand and one foot	36
Loss of one hand and one foot	36
Amputation at or above elbow or knee	36
Loss of one hand or foot	30
Inability to perform manual labor (second grade)	30
Total deafness	30
Disability equivalent to loss of hand or foot (third grade)	24

Table of rates fixed by the Commissioner of Pensions for certain disabilities not specified by law.

	Per month.
Anchylolysis of shoulder	\$12
Anchylolysis of elbow	10
Anchylolysis of knee	10
Anchylolysis of ankle	8
Anchylolysis of wrist	8
Loss of sight of one eye	12
Loss of one eye	17
Nearly total deafness of one ear	6
Total deafness of one ear	10
Slight deafness of both ears	6
Severe deafness of one ear and slight of the other	10
Nearly total deafness of one ear and slight of the other	15
Total deafness of one ear and slight of the other	20
Severe deafness of both ears	22
Total deafness of one ear and severe of the other	25
Deafness of both ears existing in a degree nearly total	27
Loss of palm of hand and all the fingers, the thumb remaining	17
Loss of thumb, index, middle, and ring fingers	17
Loss of thumb, index, and middle fingers	16
Loss of thumb and index finger	12

Table of rates fixed by the Commissioner of Pensions, etc.—Continued.

	Per month.
Loss of thumb and little finger	\$10
Loss of thumb, index, and little fingers	16
Loss of thumb	8
Loss of thumb and metacarpal bone	12
Loss of all the fingers, thumb and palm remaining	16
Loss of index, middle, and ring fingers	16
Loss of middle, ring, and little fingers	14
Loss of index and middle fingers	8
Loss of little and middle fingers	8
Loss of little and ring fingers	6
Loss of ring and middle fingers	6
Loss of index and little fingers	6
Loss of index finger	4
Loss of any other finger without complications	2
Loss of all the toes of one foot	10
Loss of great, second, and third toes	8
Loss of great toe and metatarsal	8
Loss of great and second toes	8
Loss of great toe	6
Loss of any other toe and metatarsal	6
Loss of any other toe	2
Chopart's amputation of foot, with good results	14
Pirogoff's modification of Syme's	17
Small varicocele	2
Well-marked varicocele	4
Inguinal hernia which passes through the external ring	10
Inguinal hernia which does not pass through the external ring	6
Double inguinal hernia each of which passes through the external ring	14
Double inguinal hernia one of which passes through the external ring and the other does not	12
Double inguinal hernia neither of which passes through the external ring	8
Femoral hernia	10

Mr. TILLMAN. Now, will the Senator give me some more information? Do those rates apply to Mexican veterans?

Mr. GALLINGER. They do, absolutely so, just as much as to those who were disabled in the civil war.

Mr. TILLMAN. Then this man I am interested in can go up here and claim back pay?

Mr. GALLINGER. He can, if he is entitled to it. I do not know the circumstances.

Mr. TILLMAN. According to your statement he is certainly entitled to it, unless there is some statute which prohibits it.

Mr. GALLINGER. I do not admit anything of the kind. The Senator must not put arguments in my mouth. If his friend, whoever he may be, forfeited his pension by any voluntary act of his, he is not entitled to a pension for the time it was under forfeiture. If a widow who is receiving a pension remarries, she forfeits her pension by law, and it would be absurd to say that she could claim that pension which by her voluntary act she forfeited. I take it that there is a legal reason why this man does not get his back pension.

Mr. TILLMAN. The statement which comes to me officially from the Pension Bureau is that his circumstances were not such when he applied for it as would warrant the increase to \$12 a month. But that does not apply to the disability feature at all. He never has been pensioned since the renewal of his pension because of any disability. He has been pensioned simply for service. What I desired to learn from the Senator was whether under the statute which he has just read this man can go to the Pension Bureau and demand that he shall get a pension for disability which his loss of an arm entitled him to, or whether only the Union soldiers can get it.

Mr. GALLINGER. The man has the same rights under the law that any Union soldier has. I am not prepared to say to-day what his rights may be.

Now, Mr. President, one single further observation and I am done, and I hope the bill may pass with such amendments as may commend themselves to the Senate.

The Senator from Nebraska [Mr. ALLEN] criticised the slowness with which the work of the Pension Bureau is being performed. Why, Mr. President, there are on file to-day in the Pension Bureau 477,239 applications for increase—for increase alone—and a flood of those applications is going off in every mail. In addition to that, every Senator and every member of the House is sending almost every hour of every day calls on the Pension Bureau for information concerning the status of claims. I sent one the other day and I found that my colleague had sent one and each of the two members of the House from my State had sent calls the same day. The ex-soldier had applied to us all. The result was that four clerks were detailed to look up that case. A very large portion of the force is on work of that kind every day of every year.

I think the Pension Bureau is doing the best it can under the circumstances. I do not think there is a member of this body who would like to be in the position the Commissioner of Pensions is in, or who could do any better than the Commissioner of Pensions is doing in the laborious and irksome and thankless task that he has imposed upon him. I presume they are making mistakes, very likely they are making decisions upon technical grounds, and they ought to be broader in their interpretation of the laws, but—

Mr. ALLEN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New Hampshire yield to the Senator from Nebraska?

Mr. GALLINGER. In just one moment. But my knowledge of that Bureau leads me to the conclusion that on the whole, by and large, the Commissioner of Pensions and his subordinates are doing most excellent work, and are doing work that ought to commend itself to Congress rather than to secure for them the condemnation of any Senator.

Mr. ALLEN. Mr. President, I trust the Senator from New Hampshire will not understand that I am saying anything or alleging anything against the Commissioner of Pensions.

Mr. GALLINGER. I did not so understand it.

Mr. ALLEN. What I said was, or at least what I meant to say was, that if the clerical force in the Pension Bureau is not large enough, let us increase it promptly, so that the cases can be speedily taken up and determined. Then, if the applicant is entitled to a pension, he may derive some benefit from it this side of eternity, and if he is not entitled to it, he will cease expecting and hoping for it.

Mr. GALLINGER. There is just one difficulty there with which perhaps the Senator from Nebraska is not conversant. I saw the other day an illustration of that where a soldier was granted an increase of pension. I was notified of the fact by the Commissioner of Pensions, and the attorney in the case was likewise notified. The attorney transmitted the fact to the pensioner that he had been granted an increase, and with that he put in a blank form of application for another increase. That is what is going on all over the country to-day. The Commissioner of Pensions has before him to-day a conundrum which I certainly would not want, with twice the help he has in that Bureau, to undertake to solve. It is a very serious proposition. I believe these officers are doing the very best they can under the circumstances, with the amount of money they have at their command.

Mr. ALLEN. Will the Senator allow me?

The PRESIDENT pro tempore. Does the Senator from New Hampshire yield?

Mr. GALLINGER. Certainly; and neither am I going to talk any more.

Mr. ALLEN. I merely want to suggest to the Senator this thought, that if, instead of increasing the pensions to applicants a dollar or two dollars a month, the Pension Office should take that case up as a court of equity would take up a case pending before it, examine it thoroughly, examine all the evidence, all the facts, ascertain what the applicant is entitled to at best under the most favorable circumstances, and make the allowance comply with this finding, these repeated applications would not appear so frequently in the Pension Office.

Mr. President, one thought has impressed itself upon my mind in connection with the administration of the Pension Office—I am not speaking now of the present Commissioner, for I think he is doing his duty, as he understands it, faithfully and well—that is what may be called the constant determination or policy of doing nothing.

Mr. President, to dole out pensions in small quantities to applicants who are entitled to recognition at the hands of the Government is not good policy; it is not justice. If a man has been disabled in consequence of his service to the country, let that disability be ascertained to its full extent, and promptly recognize it by allowing him compensation adequate, so far as money can compensate him, for the injury; not start a man who is entitled to twenty-five or thirty dollars a month at seven or eight dollars a month, and then increase two or three dollars from time to time, so as to invite repeated applications from the same person for an increase, but let it come all at once.

These men are growing old. The youngest of them has passed 50 years at this time. If they are ever going to receive relief at the hands of the Government, it is time that relief was extended to them. Their wives are growing to be old women; they are incapacitated to a large extent from performing any duties except the most perfunctory duties of the house. Why keep them hoping and waiting for an increase of their pensions? Why not increase the clerical force in the Pension Office, take up all these cases, and fix the final sum, and fix that sum speedily; or, if they are not entitled to anything, promptly say so to them and put an end to their expectations? It is the delay—that is the thing that is complained of most—it is the endless and ceaseless delay in granting pensions or in determining pension cases that is the evil most complained of by applicants.

The true theory of the law pensioning soldiers and their dependents is that the pension is some slight compensation for injuries sustained in the service of the Government. I know there are those who look upon a pension as a gratuity; but, Mr. President, no government is worthy of a volunteer soldiery that will not compensate the soldier who is wounded or injured in its service, or compensate his widow and children if he loses his life in its service, with some degree of adequacy for the loss they have sustained.

Mr. GALLINGER. I desire to offer an amendment to the bill by striking out in lines 10 and 11 of section 3, on page 3, the words

“and an income not exceeding \$250 per year,” and inserting the words “and having resources from which an income not exceeding \$250 per year is derived or derivable.”

The PRESIDENT pro tempore. The amendment submitted by the Senator from New Hampshire will be stated.

Mr. COCKRELL. Let the language be read as it will stand if the amendment be adopted.

The SECRETARY. In section 3, on page 3, after the word “labor,” at the end of line 9, it is proposed to strike out “and an income not exceeding \$250 per year,” and insert in lieu thereof the words “and having resources from which an income not exceeding \$250 per year is derived or derivable,” so as to read:

SEC. 3. That if any officer or enlisted man who served ninety days or more in the Army or Navy of the United States during the late war of the rebellion, and who was honorably discharged has died, or shall hereafter die, leaving a widow without means of support other than her daily labor, and having resources from which an income not exceeding \$250 per year is derived or derivable, or minor children under the age of 16 years, such widow shall, upon due proof of her husband's death, without proving his death to be the result of his army service, be placed on the pension roll from the date of the application therefor under this act at the rate of \$8 per month during her widowhood, and shall also be paid \$2 per month for each child of such officer or enlisted man under 16 years of age; and in case of the death or remarriage of the widow, leaving a child or children of such officer or enlisted man under the age of 16 years, such pension shall be paid such child or children until the age of 16.

The amendment was agreed to.

Mr. COCKRELL. I move to amend in section 3, on page 4, line 5, after the words “passage of,” by striking out the word “this,” before the word “act,” and inserting the words “the said,” and then after the word “act,” by inserting “of June 27, 1890;” so as to read:

And provided further, That said widow shall have married said soldier prior to the passage of the said act of June 27, 1890.

Mr. GALLINGER. I think that amendment ought to be made.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Missouri [Mr. COCKRELL].

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments made as in Committee of the Whole were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

COMMENCEMENT OF WIDOWS' PENSIONS.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1478) to repeal so much of the act of June 7, 1888, making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1889, and for other purposes, as relates to the commencement of pension to widows under the acts of July 14, 1862, and March 3, 1873. It provides that all pensions which may be granted under the acts of July 14, 1862, and March 3, 1873, to widows in consequence of death occurring from a cause which originated in the service of the United States since March 4, 1861, shall commence from the date of the filing of the declarations then on file or which may hereafter be filed.

Mr. GALLINGER. The Senator from Wisconsin [Mr. SPOONER] has asked me what will be the effect of this bill. I will read the reason for it from a report which I made from the Committee on Pensions on the 13th day of December:

The Commissioner of Pensions called the attention of the committee to his recommendation on page 21 of his last annual report, from which it appears that while pensions to soldiers commence from the date of filing the claim, pensions to widows date from the death of the husband. The law as to widows was changed in the appropriation act of June 27, 1888, which act removed all limitations as to the date of filing claims. The Commissioner recommends that that provision of the act of June 27, 1888, be repealed, in which recommendation your committee cordially concurs.

That provision in that appropriation act gave widows an advantage over soldiers. The man who fought makes application for a pension. If he gets his pension, he gets it from the date upon which he made the application. The widow makes application; and if her application is allowed, the pension dates back to the death of the husband. It seems to be an injustice. It does not occur to me that a widow should receive a pension beyond the time she applied for it. This amendment is proposed to correct that incongruity in the existing statute.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CONSTRUCTION OF DEPENDENT PENSION ACT.

The Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. R. 8) construing the act approved June 27, 1890, entitled “An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents.” It provides that the act approved June 27, 1890, entitled “An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents,” shall be construed and held to include all persons who served for ninety days in the military or naval service of the United

States during the late war of the rebellion, and who have been honorably discharged therefrom, but shall not apply to those who served in the First, Second, Third, Fourth, Fifth, and Sixth Regiments United States Volunteer Infantry who had a prior service in the Confederate army or navy.

Mr. COCKRELL. What is the object of that joint resolution?

Mr. GALLINGER. The Senator from North Carolina [Mr. PRITCHARD] reported it, and I have just sent to his committee room for him. As I understand it, under the general law—and I am correct in that—a man who had served in the Confederate army and afterwards accepted service in the Union army and was honorably discharged is pensionable, but under the act of June 27, 1890, there is no provision making that class of soldiers pensionable. This joint resolution simply proposes to extend the provisions of the general law in that regard to the act of June 27, 1890. That is the purport of it, and all there is to it, as I understand it.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

VOID ENTRIES OF PUBLIC LANDS.

The bill (S. 386) to amend an act entitled "An act for the relief of certain settlers on public lands and to provide for the repayment of certain fees, purchase money, and commissions paid on void entries of public lands," was announced as next in order on the Calendar.

The PRESIDENT pro tempore. The bill has been read in full as in Committee of the Whole.

Mr. SPOONER. The Senator who introduced the bill is not present, and I ask that it go over.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

EXECUTIVE SESSION.

Mr. SPOONER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour spent in executive session the doors were reopened, and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 9, 1900, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 8, 1900.

COLLECTOR OF CUSTOMS.

William H. Jordan, of Massachusetts, to be collector of customs for the district of Gloucester, in the State of Massachusetts, to succeed Frank C. Richardson, whose term of office will expire by limitation February 19, 1900.

APPOINTMENT IN THE ARMY—CAVALRY ARM.

E. Holland Rubottom, of California, to be second lieutenant, June 1, 1899.

[NOTE.—The person herein named was nominated to the Senate December 6, 1899, as Eurubian H. Rubotton, and was confirmed December 18, 1899. This message is to correct an error in the name of the nominee.]

PROMOTIONS IN THE VOLUNTEER ARMY—FORTY-FOURTH INFANTRY.

Second Lieut. Benjamin R. Hall, Forty-fourth Infantry, to be first lieutenant, November 29, 1899, vice Brown, discharged.

Second Lieut. Howard M. Koontz, Forty-fourth Infantry, to be first lieutenant, November 30, 1899, vice Raysor, promoted.

[NOTE.—These officers were nominated to the Senate December 7, 1899, for promotion to first lieutenant, and were confirmed December 20, 1899. This message is to correct an error in the dates of their respective promotions.]

APPOINTMENT IN THE VOLUNTEER ARMY.

To be surgeon with the rank of major.

Frank H. Titus, of California, acting assistant surgeon, United States Army, January 4, 1900, vice Morris, resigned.

PROMOTIONS IN THE NAVY.

Pay Inspector Henry T. Wright, to be a pay director in the Navy, from the 23d day of December, 1899, vice Pay Director George A. Lyon, retired.

Paymaster Samuel R. Colhoun, to be a pay inspector in the Navy, from the 23d day of December, 1899, vice Pay Inspector Henry T. Wright, promoted.

Passed Assistant Paymaster Joseph J. Cheatham, to be a pay-

master in the Navy, from the 23d day of December, 1899, vice Paymaster Samuel R. Colhoun, promoted.

Passed Assistant Paymaster Martin McM. Ramsay, to be a paymaster in the Navy, from the 12th day of November, 1899, vice Paymaster Lawrence G. Boggs, promoted.

Joseph Anthony Murphy, a citizen of Pennsylvania, to be an assistant surgeon in the Navy, from the 3d day of January, 1900, to fill a vacancy existing in that grade.

Raymond E. Sawyer, a citizen of New York, to be a second lieutenant in the Marine Corps, from the 2d day of January, 1900, to fill a vacancy existing in that Corps.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 8, 1900.

CONSUL-GENERAL.

Julius G. Lay, of the District of Columbia, to be consul-general of the United States at Barcelona, Spain.

CONSULS.

William P. Atwell, of the District of Columbia, to be consul of the United States at Roubaix, France.

Henry W. Diederich, of the District of Columbia, to be consul of the United States at Bremen, Germany.

APPRAISER OF MERCHANDISE.

Alexander Bruce, of Ohio, to be appraiser of merchandise in the district of Cuyahoga, in the State of Ohio.

SUPERVISORS OF THE TWELFTH CENSUS.

Walker Wilkins, of Elkton, Todd County, to be a supervisor of the Twelfth Census for the Third supervisor's district of Kentucky.

Andrew J. White, of Todd, Atchison County, to be a supervisor of the Twelfth Census for the First supervisor's district of Kansas.

James K. Flood, of Hart, Oceana County, to be a supervisor of the Twelfth Census for the Ninth supervisor's district of Michigan.

Daniel F. Healy, of Manchester, Hillsboro County, to be a supervisor of the Twelfth Census for the supervisor's district of New Hampshire.

PROMOTION IN THE MARINE-HOSPITAL SERVICE.

P. A. Surg. William P. McIntosh, of Maryland, to be a surgeon in the Marine-Hospital Service of the United States.

PROMOTION IN THE NAVY.

Asst. Surg. Middleton S. Elliott, to be a passed assistant surgeon in the Navy, from the 6th day of October, 1899.

APPOINTMENT IN THE MARINE CORPS.

Robert Ethridge Carmody, to be a first lieutenant in the United States Marine Corps from the 13th day of April, 1899.

APPOINTMENTS IN THE ARMY.

CAVALRY ARM.

William Lee Karnes, of Virginia.

Ashton H. Potter, of New York.

INFANTRY ARM.

Alden Trotter, of Mississippi.

Arthur Winston Brown, of Utah.

Abraham U. Loeb, of Indiana.

Charles J. Nelson, of Alabama.

William B. Baker, of New York.

Clarence K. La Motte, of Delaware.

Frank A. Awl, of Pennsylvania.

James M. Loud, of District of Columbia.

Edmund S. Sayer, jr., of New York.

J. De Camp Hall, of District of Columbia.

Robert G. Rutherford, jr., of District of Columbia.

Edgar H. Yule, of Iowa.

Constant Cordier, of Arizona.

TO BE SECOND LIEUTENANTS.

Cavalry arm.

Louis Rice Ball, of Colorado, December 1, 1899.

Infantry arm.

Corpl. Henry Wiegenstein, Company C, Twentieth United States Infantry, October 1, 1899.

PROMOTIONS IN THE ARMY.

INSPECTOR-GENERAL'S DEPARTMENT.

To be inspectors-general with the rank of colonel.

Lieut. Col. Peter D. Vroom, inspector-general, December 19, 1899.

With the rank of lieutenant-colonel.

Maj. Charles H. Heyl, inspector-general, December 19, 1899.

INFANTRY ARM.

Lieut. Col. James M. J. Sanno, Fourth United States Infantry, to be colonel, December 18, 1899.

Maj. Frank D. Baldwin, Third United States Infantry, to be lieutenant-colonel, December 18, 1899.

Lieut. Col. Charles W. Miner, Sixth Infantry, to be colonel.

Maj. Charles L. Davis, Eleventh Infantry, to be lieutenant-colonel.

Second Lieut. Englebert G. Ovenshine, Sixteenth Infantry, to be first lieutenant, March 2, 1899.

APPOINTMENTS IN THE VOLUNTEER ARMY.

TO BE ASSISTANT COMMISSARY OF SUBSISTENCE WITH THE RANK OF CAPTAIN.

Ralph Ingalls, of Kansas (late first lieutenant, Forty-fourth Infantry, United States Volunteers), January 2, 1900.

TO BE ASSISTANT QUARTERMASTER WITH THE RANK OF CAPTAIN.

Archibald W. Butt, of Georgia, January 2, 1900.

FORTY-EIGHTH INFANTRY.

To be second lieutenant.

Sergt. Maj. Herbert E. Gee, Forty-eighth Infantry, United States Volunteers, December 20, 1899.

FORTY-FOURTH INFANTRY.

To be second lieutenant.

First Sergt. Pliny R. Strange, Company F, Forty-fourth Infantry, United States Volunteers, December 18, 1899.

PROMOTIONS IN THE VOLUNTEER ARMY.

THIRTY-FIFTH INFANTRY.

To be colonel.

Lieut. Col. Edward H. Plummer, Thirty-fifth Infantry, December 16, 1899.

To be lieutenant-colonel.

Maj. Robert D. Walsh, Thirty-fifth Infantry, December 16, 1899.

To be major.

Capt. William L. Geary, quartermaster, Thirty-fifth Infantry, December 16, 1899.

To be captain.

First Lieut. James A. Ruggles, Thirty-fifth Infantry, December 16, 1899.

To be first lieutenant.

Second Lieut. Clark R. Elliott, Thirty-fifth Infantry, December 16, 1899.

THIRTY-SIXTH INFANTRY.

To be colonel.

Lieut. Col. William R. Grove, Thirty-sixth Infantry, December 24, 1899.

To be lieutenant-colonel.

Maj. William L. Luhn, Thirty-sixth Infantry, December 24, 1899.

To be major.

Capt. Robert S. Abernethy, Thirty-sixth Infantry, December 24, 1899.

To be captain.

First Lieut. Loren E. Cheever, Thirty-sixth Infantry, December 24, 1899.

To be first lieutenant.

Second Lieut. George T. Bowman, Thirty-sixth Infantry, December 24, 1899.

FORTY-EIGHTH INFANTRY.

To be first lieutenant.

Second Lieut. James B. Coleman, Forty-eighth Infantry, United States Volunteers, December 18, 1899.

POSTMASTERS.

Eugene R. Phillips, to be postmaster at Phillipsdale, in the county of Providence and State of Rhode Island.

Leon C. Olmstead, to be postmaster at Bigtimber, in the county of Sweet Grass and State of Montana.

Albert A. Atterholt, to be postmaster at Rochester, in the county of Beaver and State of Pennsylvania.

W. F. Himel, jr., to be postmaster at White Castle, in the county of Iberville and State of Louisiana.

REJECTION.

Executive nomination rejected by the Senate January 8, 1900.

SUPERVISOR OF TWELFTH CENSUS.

Richard S. Berlin, of Omaha, Douglas County, to be a supervisor of the Twelfth Census for the Second supervisor's district of Nebraska.

HOUSE OF REPRESENTATIVES

MONDAY, January 8, 1900.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of Thursday last was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed the following resolution; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution No. 10.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to submit a report of the survey and estimate for the improvement of Lemon Creek, Richmond County (Staten Island), N. Y., in the construction of a training dike at the outlet into Princess Bay and the extension of the present dredged channel a farther distance of 1,000 feet.

The message also announced that the Senate had passed bill and joint resolution of the following titles; in which the concurrence of the House of Representatives was requested:

S. 762. An act granting settlers the right to make second homestead entries; and

S. R. 52. Joint resolution to fill a vacancy in the Board of Regents of the Smithsonian Institution.

SENATE BILL AND JOINT RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, Senate bill and resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 762. An act granting settlers the right to make second homestead entries—to the Committee on Public Lands.

S. R. 52. Joint resolution to fill a vacancy in the Board of Regents of the Smithsonian Institution—to the Committee on the Library.

Senate concurrent resolution No. 10.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to submit a report of the survey and estimate for the improvement of Lemon Creek, Richmond County (Staten Island), N. Y., in the construction of a training dike at the outlet into Princess Bay and the extension of the present dredged channel a farther distance of 1,000 feet—

to the Committee on Rivers and Harbors.

BUSINESS OF THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, this day, I believe, is set aside, under the rules, for the consideration of business reported from the Committee on the District of Columbia. I would ask unanimous consent that next Monday be substituted for to-day for the consideration of that business.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin, that next Monday be substituted for to-day for the consideration of District business?

There was no objection.

ALLEGED POLYGAMOUS OFFICEHOLDERS, UTAH.

Mr. DALZELL. Mr. Speaker, I desire to submit at this time a privileged report from the Committee on Rules.

The SPEAKER. The report will be read.

The Clerk read as follows:

Whereas it is charged and generally believed that John C. Graham, postmaster at Provo City, Utah, a Presidential appointee, is ineligible to hold a Federal office for the same reason that it is alleged Brigham H. Roberts is ineligible to a seat in the House of Representatives; and

Whereas it is charged and generally believed that Orson Smith, postmaster